THE PRINCIPALL ACTS OF THE SOLEMNE GENERALL *ASSEMBLY OF THE KIRK OF* SCOTLAND: INDICTED BY THE *KINGS MAJESTIE*, AND CONVEENED At *Glasgow* the xxi. of *November* 1638.

Visied, collected, and extracted forth of the Register of the acts of *the Assembly, by the Clerk thereof.*

EDINBURGH,
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Anno Dom. 1639.

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To the Reader.

IT were long, neither do we now intend, to represent, what in the beginning, by the mercies of our God and the ministerie of his faithfull servants, was the reformation of this Kirk: what purity of doctrine and worship, what order, what authority, and what unity continued for many years, by the prayers and labours of Ministers and Professours, what novations and corruptions have been introduced upon us of late, in the time of our division and defection, by such as have ever been enemies to the crosse of Christ, and who have minded earthly things: how manyfold and how comfortable experience we have at this time of the care and compassions of our Lord and Saviour preventing the utter ruine of Religion, and the horrible vastation of this Kirk, by looking upon the afflictions of his people, by hearing their grones, mocked by the world: and by moving the heart of our gracious and dread Soveraigne the Kings Majestie to conveen a free nationall Assemblie, for redressing the wrongs done to Religion, and what undeniable testimonies, and notable manifestations of the divine presence and assistance of Christ, have accompanied this meeting and whole work. Who so is wise and observeth these things will see the loving kindnesse of the *Lord*.

For the present it seemed necessarie that such of the acts and constitutions of the Assemblie as are of most generall concernement should be published in print; the correct writing of so manie copies as were called for, not beeing possible to be exped in due time and the Kirk having resolved upon this course in former times, which, had it been keeped, our defection through the almost invincible ignorance of the proceedings of this Kirk, had not proven so dangerous and deplorable.

In these acts and constitutions speciall regard was had to our nationall confession of Faith, as it was at first and diverse times after professed, and is now of late sworn and subscribed, that all mens mindes, who delight not to cavill, might rest satisfied in the true meaning thereof, found out by the diligent search of the Ecclesiastick Registers. Our care was also rather at this time to revive and bring to light, former laudable acts, then to make anie new acts, reflecting as little as might be upon the reformation of other Kirks, and choosing to receive our directions from our own reformation, approven by the ample testimonie of so manie forein Divines: according to the example of the venerable Assemblie at Dort,

where

where ſpeciall caution was, that the 30. and 31. article of the Confeſsion of the Belgick *Kirks touching Eccleſiaſtick order ſhould not be examined by ſtrangers, there being a difference touching that point amongſt reformed Kirks. So manie as were preſent can beare witneſſe that all the members of the Aſſemblie were manie times called on, and required to propone their doubts, and to give their judgements of everie article, before it was inacted, that everie one might receive ſatisfaction, and from the full perſwaſion of his minde might give his voice: wherein the unanimitie and harmonie was the more admirable, that manie parting from their preconceived opinions, which had poſſeſſed their mindes, did moſt willingly receive the light, which did now unexpectedly appear from the records of the Kirk.*

That this extract ſhall ſtop the mouthes of the malicious, is more then we can promiſe, or ſhould be expected. We know there be ſome incendiaries, who would with great joy and content of minde, ſeek their loſt penny in the aſhes of this poore Kirk and Kingdome: and we have already found, that our labours, and the grounds where-upon we have proceeded, before they be ſeen, are miſconſtrued by ſo many as findes their hopes blaſted, and are come ſhort of their earthly projects: but our comfort is that we have walked in the truth of our hearts, as in the ſight of God. That the adverſaries of the Kirk have not transformed themſelves into Angels of light, nor can ſay they are doing God *ſervice, but are ſeen in their colours, and do ſeek themſelves, and that ſo many as have erred before, not knowing the order and conſtitutions of this Kirk, will as obedient children to their mother ſpeaking plainly and powerfully of old, and now after long ſilence opening her mouth again, and uttering her minde in a free Aſſembly, hear her voice, and with that reverence that beſeemeth under the ſupreme Majeſtie of* Chriſt, *obey her directions, that being all of one minde, peace may be upon us, and upon the Kirk of* God: *and the* God *of peace, and love may be with us.*

THE GENERALL ASSEMBLY AT GLASGOW.

Act. Sess. 6. *November* 27. 1638.

THe testimonie of the Committy, for tryall of the Registers, subscribed with their hands, being produced, with some reasons thereof in another paper, and publickly read; *My Lord Commissioner* professed that it had resolved him of sundry doubts, but desired a time to be more fully resolved.

The Moderatour desired that if any of the Assembly had any thing to say against the said testimonie for the books, that they would declare it, and finding none to oppon, yet he appointed the day following, to any to object any thing they could say; and if then none could object, the Assembly would hold the Registers as sufficiently approven.

Act. Sess. 7. *November* 28.

Act. approving the Registers.

ANent the report of the Assemblies judgement of the authority of the books of Assembly; The Moderatour having desired that if any of the Assembly had any thing to say, they would now declare it, otherwise they would hold all approven by the Assembly.

The Commissioner his Grace protested that the Assemblies *approving these books, or any thing contained in them* be no wayes prejudiciall to his Majestie, nor to the Archbishops, and Bishops of this Kingdome, or any of their adherents; because he had some exceptions against these books. My Lord *Rothes* desired these exceptions

to be condescended on; and they should be presently cleared, and protested that these books should be esteemed authentick and obligatorie hereafter.

The whole Assembly all in one voice approved these books, and ordained the same to make faith in judgement, and out-with, in all time comming, as the true and authentick Registers of the Kirk of Scotland, conform to the testimonie subscribed by the Committie, to be insert with the reasons thereof in the books of Assembly: Whereof the tenour followeth.

WE under-subscribers, having power and commission from the generall Assembly now presently conveened, and sitting at *Glasgow*, to peruse, examine, and cognosce upon the validity, faith and strength of the books and registers of the Assembly under-written, to wit: A register beginning at the Assembly holden the twentie day of *December* 1560. and ending at the fourth session of the Assembly holden the 28 of *December* 1566.

Item another register beginning at the generall Assembly, holden the second day of Iune 156[illegible]. and ending at the fourth session of the Assembly holden at *Perth* the ninth day of *August* 1572, which register is imperfect, and mutilate in the end, and containeth no leaf nor page, after that page which containeth the said inscription of the said fourth session, which two registers beans to be subscribed by *John Gray* scribe.

Item a register of the Assembly holden at *Edinburgh* the seventh day of *August* 1574. and ending with the twelfth session, being the last session of the Assembly 1579.

Item another register beginning at the Assembly holden at *Edinburgh* the tenth of *May* 1586. and ending in the seventeenth session of the Assembly holden in *March.* 1589.

Item another register being the fifth book, and greatest volume, beginning at the Assembly holden in *Anno* 1560. and ending in the year 1590.

Having carefully viewed, perused and considered the saids registers, and every one of them, and being deeply and maturely advised, as in a matter of greatest weight and consequence, do attest before God, and upon our conscience declare to the world and this present Assembly, that the saids foure registers above expressed, and every one of them, are famous, authentick and good registers: which ought to be so reputed, and have publick faith in judgement and out-with, as valid and true records in all things, and that the said fifth and greatest book, beginning at the Assembly 1560. and ending 1590. being margined by the hand-writs of the Clerk, and reviser of the registers, cognosced, and tryed, and agreeable to the other foure registers, in what is extant in them, ought also to be free of all prejudice and suspicion, and received with credit. And in testimonie of our solemne affirmation, we have subscribed these presents with our hands.

Sic

Sic subscribitur.

Master Andrew Ramsay.

Master John Adamson.

Master John Row.

Master Robert Murray.

Master Alexander Gibson.

Master James Boner.

Master Alexander Peerson.

Master Alexander Wedderburn.

Reasons prooving the five books and Registers produced before the Assembly to be authentick.

THe books now exhibited unto us under-subscribers, which we have revised and perused by commission from the generall Assembly, are true registers of the Kirk: to wit, Five volumes, whereof the first two contain the acts of the Assembly, from the year of God 1560. to the year 1572. all subscribed by *John Gray* Clerk. The third from the year of God 1574. to the year 1579. The fourth from the year of God 1586. to the year 1589. At which time *Master James Richie* was Clerk, who hath frequently written upon the margine of the saids two last books, and subscribed the said margine with his hand-writing. And the fifth book being the greatest volume, containing the acts of the generall Assembly, from the year of God 1560. to the year 1590. which agreeth with the foresaids other foure books and registers, in so far as is extant in them, and further recordeth, what is wanting by them, passing by what is mutilate in them, and which with the two volumes produced by *Master Thomas Sandilands* from the year 1590. to this present, maketh up a perfect register.

For the first two volumes subscribed by *John Gray*, albeit it be not necessar in such antiquitie to proove that he was Clerk, seeing he designes himself so by his subscription, yet the same is made manifest by an act mentioned in the third book, in the time of *Master James Richie*, who succeeded him in the said office, and his hand-writ was acknowledged by sundry old men in the ministery. I.

The uniformitie of his subscriptions through both volumes, evident by ocular inspection above the ordinarie custome of most famous Notars, delivers the same from all suspicion *in facto tam antiquo*. II.

There be many coppies, specially of generall acts, yet extant, III.

which do not deboid from the ſaids regiſters, but are altogether agreeable thereto.

IIII. It is conſtant by the univerſall cuſtome of this Kingdome, that all regiſters are tranſmitted from one keeper to his ſucceſſour, and ſo comming by progreſſe and ſucceſſion from the firſt incumbent to the laſt poſſeſſour, are never doubted to be the regiſters of that judicatorie, whereof the laſt haver was Clerk; and therefore it is evident, that theſe books comming ſucceſſively from *Iohn Gray*, *Maſter Iames Richie*, and *Maſter Thomas Nicolſon*, who were all Clerks to the Aſſembly, into the hands of *Maſter Robert Wintrame*, who was conſtitute Clerk depute by the ſaid *Maſter Thomas Nicolſon* (as his deputation here preſent to ſhow, will teſtifie) are the undoubted regiſters of the Aſſembly: like as *Alexander Blair* ſucceeded the ſaid *Maſter Robert* in his place of Clerkſhip to the aſſignations and modifications of Miniſters ſtipends; and during *Maſter Robert* his life-time, was his actuall ſervant, and ſo had the ſaid books by progreſſe from him, which the ſaid *Alexander* is readie preſently to teſtifie.

V. The two regiſters of *Maſter Iames Richie*, albeit not under his own hand, yet are frequently margined with his own hand-writ, and the ſame marginall additions ſubſcribed by him, which hand-writ is ſeen and cognoſced by famous men, who knoweth the ſame, and is evident, being compared with his ſeverall writings and ſubſcriptions yet extant.

VI. The ſaids regiſters are more perfect, leſſe vitiated, ſcored, and interlined, then any other authentick and famous regiſters of the moſt prime judicatories within this Kingdome.

VII. *Maſter Thomas Sandilands*, in name of his father, who was late Clerk by dimiſſion of *Maſter Thomas Nicolſon*, hath produced a volume, which proveth the ſaids two regiſters of *Maſter Iames Richie* to be ſufficient records; becauſe that ſame volume is begun by that ſame hand, whereby the ſaid *Maſter Iames Richie* his regiſters are written, and is ſubſcribed once in the margine by *Maſter Iames Richie* his hand, and is followed forth, and continued in the ſame book by *Maſter Thomas Nicolſon*, who ſucceeded him in the place, and was known by moſt men here preſent to be of ſuch approven worth and credit, that he would never have accompliſhed a regiſter which had not been famous and true: and whereof the hand-write, had not then been known to him ſufficiently.

VIII. That regiſter produced by Mr. *Thomas Sandilands*, and proſecuted by *Maſter Thomas Nicolſon*, proves the firſt part of that regiſter to be true and famous, and that firſt part being by ocular inſpection of the ſame hand-writ, with *Maſter Iames Richies* regiſters, and ſubſcribed in the margine with the ſame hand-writ, proveth *Richies* two books to be good records, and *Richies* regiſters doth approve *Grays* books by the act of Aſſembly before written: ſpecially conſidering the ſame hath come by progreſſe and ſucceſſion of Clerks, in the hands of *Alexander Blair*, now living, and here preſent.

The

The compts anent the thirds of benefices between the Regent for the time, and the Assembly, in the second volume, pag. 147. are subscribed by the Lord Regents own hand, as appeareth: for it is a royall-like subscription, and there is no hand writ in all the book like unto it, and beareth not *Sic subscribitur*, which undoubtedly it would do, if it were a coppie. IX.

Master Iames Carmichell was commanded by the generall Assembly 1595. Sess. 9. in the book produced by *Master Thomas Sandilands*, to extract the generall acts forth of their books; and it is evident that these books are the same which he perused for that effect, because he hath marked therein the generall acts with a crosse, and hath designed the act by some short expression upon the margine, which is cognosced and knowu to be his hand-writ, by famous and worthy persons: which is also manifest by the said *Master Iames* his band and subscription, written with his own hand in the last leafe of the said books; as also acknowledged in the said book, produced by *Master Thomas Sandilands*, wherein the said *Master Iames Carmichell* granteth the receipt of these, with some other books of the Assemblies. X.

The registers produced, are the registers of the Assembly, because in *Anno* 1586. the Assembly complaineth that their registers are mutilate: which hath relation to *Richies* third book, which is lacerat and mutilate in divers places without any interveening of blank paper, or any mention of *hic deest*. XI.

If these were not principall registers, the enemies of the puritie of Gods worship, would never have laboured to destroy the same: which notwithstanding they have done; as appeareth by the affixing and battering of a piece of paper upon the margine, anent a condition of the commission not to exceed the oftablished discipline of this Kirk, subscribed by the Clerk, book 3. pag. 147. And the blotting out the certification of the excommunication against Bishop *Adamson*, book 4. pag. 30. who in his Recantation generally acknowledgeth the same: but which, without that recantation, cannot be presupponed to have been done, but by corrupt men of intention to corrupt the books, which were not necessary, if they were not principall registers. XII.

In the Assembly 1586. The Church complained upon the Chancelour his retention of their registers, and desired they might be delivered to their Clerk, which accordingly was done; as a memorandum before the beginning of the first book, bearing the redeliverie of these foure books to *Master Iames Richie*, Clerk, proporteth; which clearly evinceth that these foure books are the registers of the Assembly. XIII.

The said fifth book and greateſt volume, is also marked on the margine, with the hand-writ of the said M^r. *Iames Carmichell* (which is cognosced) who was appointed to peruse the books of the Assembly as said is, and would not have margined the same by vertue of that command, nor extracted the generall acts out of it, if it were XIIII.

not

not an approbation thereof, as an authentick and famous book.

XV. The ſaid fifth volume doth agree with the other foure books, in all which is extant in them, and marketh the blanks, which are lacerate and riven out of the ſame; and compleateth all what is lacking in them.

XVI. In the book of Diſciplin pertaining to *Maſter Iames Carmichell*, ſubſcribed by himſelf, and *Maſter Iames Richie*, there are ſundry acts and paſſages quotted out of the ſaid fifth great volume, ſaying, It is written in ſuch a page of the book of Aſſembly, which agreeth in ſubject and quottations with the ſaid fifth book, and cannot agree with any other; ſo that *Maſter Iames Carmichell* reviſer of the Aſſembly books, by their command, would not alledge that book, nor denominate the ſame a book of the Aſſembly, if it were not an authentick famous book.

XVII. Though the corrupt nature of man hath been tempted to falſifie particular evidents, yet it hath never been heard that any whole regiſter hath ever been counterfeited; neither can it bee preſupponed that any will attempt that high wickedneſſe, ſeeing the inducements anſwerable to that crime, can hardly be preſuppoſed.

XVIII. It is certain, and notour to all theſe who are intruſted with the keeping of the publick records of the kingdome, that the ſame are never ſubſcribed by the Clerk, but only written and filled up by ſervants, and moſt frequently by unknown hands, yet they and the extracts thereof make publick faith, and the ſame are uncontrovertedly authentick regiſters; and when the moſt publick regiſters of the kingdome ſhall be ſeen, and compared with theſe regiſters of the Aſſembly, it ſhall be found that theſe other regiſters of the moſt ſoveraigne judicatories ever unſubſcribed are more incorrect, oftner margined, ſcored, and interlined, made up by greater diverſitie of unknown hand-writs, than theſe books of the Aſſembly, which by ſpeciall providence are preſerved ſo intire, that in the judgement of any man acquainted with regiſters, they will manifeſtly appear at the very ſight to be true, famous, and authentick.

XIX. The fame and credit of ancient regiſters in this kingdome, is ſo much reverenced, that if any extract be different or diſconforme from the regiſter, that extract albeit ſubſcribed by the perſon who for the time had been of greateſt eminence in the truſt of regiſters, will be rectified, conforme to the regiſter, and have no force, ſo far as it debordeth there-from; although the regiſters be written with an obſcure, unknown hand, and unſubſcribed.

Act. Sess. 12. December fourth.

The six late pretended Assemblies condemned.

ANENT the report of the Committie, for trying the six last pretended Assemblies: They produced in writ sundrie reasons, clearing the unlawfulnesse and nullitie of these Assemblies: which were confirmed by the registers of the Assembly, the books of Presbyteries, the Kings Majesties own letters, and by the testimonie of divers old reverend Ministers, standing up in the Assembly, and verifying the truth thereof. The Assembly with the universall consent of all, after the serious examination of the reasons against every one of these six pretended Assemblies apart, being often urged by the Moderatour, to informe themselves throughly, that without doubting, and with a full perswasion of minde, they might give their voices, declared all these six Assemblies of *Linlithgow* 1606. and 1608. *Glasgow* 1610. *Aberdeen* 1616. S^t. *Andrews* 1617. *Perth* 1618. And every one of them to have been from the beginning unfree, unlawfull, and null Assemblies, and never to have had, nor hereafter to have any Ecclesiasticall authoritie, and their conclusions to have been, and to bee of no force, vigour, nor efficacie: Prohibited all defence and observance of them, and ordained the reasons of their nullitie to be insert in the books of the Assembly: *Whereof the tennour followeth.*

Reasons annulling the pretended

Assembly, holden at Linlithgow. 1606.

FRom the indiction of it. It was indicted the third of *December*, to bee kept the tenth of *December*. And so there was no time given to the Presbyteries, far distant, neither for election of Commissioners, nor for preparation to those who were to be sent in Commission. The shortnesse of the time of the indiction is proved by the Presbyterie books of *Edinburgh*, *Perth*, and *Hadingtoun*, &c. I.

From the want of a lawfull calling, to these who went to that meeting, seeing they were not at all elected by their Presbyteries, but were injoyned to come by the Kings letters. This also is proved by the foresaids books of the Presbyteries, and by his Majesties letters. II.

From the nature of that meeting, which was only a private meeting, or convention, for consultation to be taken by some persons of sundry III.

of ſundry eſtates written for, as the Kings letters and the Presbyterie books do acknowledge.

IIII. From the power of theſe miniſters who were preſent Their Presbyteries did limitate them: Firſt, That they ſhould give no ſuffrages in that meeting as a generall Aſſembly. Secondly, That they agree to nothing that may any wayes be prejudiciall to the acts of the generall Aſſemblies, or to the eſtabliſhed diſcipline of the Kirk. Thirdly, That they ſhould not agree to reſolve or conclude any queſtion, article, or mater whatſoever, the deciſion whereof is pertinent, and proper to a free generall Aſſembly. Fourthly, If any thing be concluded contrary thereunto, that they proteſt againſt it. Theſe limitations are clear by the Presbyterie books.

V. The acts of this meeting were not inſert in the book of Aſſemblies, as is evident by the regiſter.

VI. The next pretended Aſſembly at *Linlithgow*, 1608. doth acknowledge the Aſſembly, whereof *Maſter Patrick Galloway* was Moderatour, to have been the laſt immediate Aſſembly, preceeding it ſelfe: and that Aſſembly whereof he was moderatour, was the Aſſembly holden at *Haly-rood-houſe*, 1602. So they did not acknowledge that meeting at *Linlithgow*, 1606. for any Aſſembly at all. This is clear by the regiſters of the Aſſembly, 1608. in the entrie thereof.

Reaſons for annulling the pretended *Aſſembly at* Linlithgow, 1608.

I. MANIE of the voters in that pretended Aſſembly had no lawfull commiſſion from the Kirk, to wit, 42. Noble men, officers of eſtate, Counſellours, and Barrons, alſo the Biſhops, contrare to the act of *Dundie*, 1597. And one of their caveats. The Noble men, were as commiſſioners from the King, the Biſhops had no commiſſion at all from the Presbyteries, for every Presbyterie out of which they came, had their full number of Commiſſioners beſide them, as the regiſter of the Aſſembly beareth.

II. In a lawfull Aſſembly there ſhould be none but Commiſſioners from Presbyteries, Burghs, and Univerſities, and but three miniſters at moſt, with one Elder, Commiſſioners from every Presbyterie, according to the act made at *Dundie*, 1597. But in that pretended Aſſembly, there were foure miniſters from the ſeverall Presbyteries, of *Edinburgh*, and *Couper*, five from the Presbyterie of *Arbroth*, as the roll of the ſaid pretended Aſſembly beareth; whereas there were no ruling Elders ſent from Presbyteries, according to the book of policie and act of *Dundie*.

Reaſons

Reasons for annulling the pretended *Assembly at Glasgow.* 1610.

THe Commission of the pretended Commissioners to that meeting was null, 1. Because the election of them was not free, seeing they were nominate by the Kings Letters, as the Presbyterie books of *Edinburgh*, *Perth*, and *Hadingtoun* declare. And the Bishop of S^t. *Andrews* in his letter to some Presbyteries, required them to send such commissioners as the King had nominate: Assuring them, that none other would be accepted. This the Bishops letter registrat in the Presbyterie books of *Hadingtoun* doth cleare. 2. And whereas there were no ruling Elders sent from the Presbyteries to that pretended Assembly, as the roll of Commissioners sheweth; yet there were moe ministers from sundrie severall Presbyteries then three, as five from *Brechen*, five from *Arbroth*, five from *Kirkcubright*, seven from the Presbytery of *Argyl*, foure from the Presbyterie of *Cowper*, foure from *Linlithgow*, foure from *Paisley*, foure from *Hammiltoun*, foure from *Drumfreis*, foure from *Dunkell*: as the registe of that Assembly beareth. I.

There were thirtie voters of Noble men and Barrons, beside the pretended Bishops, who had no commission from any Presbyterie. In the fourth Session of this pretended Assembly it is plainly said, That the Noble men and Barrons came to it by the Kings direction. II.

The voting of the commissioners was not free: for by the Kings Letter to the Assembly they were threatned, and it was declared that their consent was not needfull to any act to be made there: The King might doe it by his own power, yet they were allured to vote by a promise that their good service in so doing should be remembred and rewarded thereafter. III.

The principall acts which were made, were set down *verbatim* in the privie conference, which chiefly consisted of the Kings Commissioners and pretended Bishops, and only read to be ratified in the Assembly. IIII.

Sundrie ministers then present, doe now declare, that they knew the ministers who voted the wrong way, to have received their present reward, and that money was largely dealt unto them. V.

Reasons for annulling the pretended *Assembly at* Aberdene. 1616.

THere was no election of a Moderatour: but that place usurped by the pretended Bishop of Saint *Andrews*, as the Register beareth. I.

The indiction of that pretended Assembly was but twentie dayes before II.

before the holding of it: so that the Presbyteries and burghes could not be prepared for sending their commissioners: which caused the absence of many Presbyteries and fourtie foure Burghes.

III. There were twentie five noble-men, and gentle-men, voters without commission from the Kirk. Mr. *William Struthers* voted for the Presbyterie of *Edinburgh*, yet had no commission there-from: The commission being given by that Presbyrerie to other three, as the said Commission registrat in the books of the Presbytery beareth. And whereas there should be but one Commissioner from every burgh, except *Edinburgh*, to the Assembly; at this pretended Assembly, there were two Commissioners from *Glasgow*, two from *Cowper*, two from St. *Andrews*: whereas there were no ruling Elders having commission from their Presbyteries at that Assembly.

IIII. When the acts of that pretended assembly were written, the Bishop of St. *Andrews* with his own hand did interline, adde, change, vitiate, direct to be extracted or not extracted, as he pleased: as the scrolls themselves seen, doe show; wherefore the Clerk did not registrat the acts of that Assembly, in the books of Assemblies, as may be easily seen by the blank in the register left for them remaining unfilled.

The nullitie of the pretended Assembly at *Saint Andrews*, 1617.

I. THere is no mention of it in the register of the Assemblies, and so no warrand for their commissions, their Moderatour or Clerk.

II. The indiction of it was so unformall, that as the scroll declareth, a great part of the Commissioners from Synods, Burrows, and gentle-men, would not be present.

III. The Kings Majestie in his letter to *Perths* Assembly, acknowledgeth it was but a meeting, wherein disgrace was offered to his Majestie.

IIII. The former corruptions of the foure preceeding Assemblies had their confluence in this and the subsequent Assembly.

Reasons for annulling the pretended *Assembly, holden at* Perth, 1618.

I. THe Assembly was indicted but twentie dayes before the holding of it: and all parties requisit received not advertisement, as appeareth by their absence. The unanimous indicting of it, is cleared by Presbyterie books.

There

There was no election of the Moderatour, as was accuſtomed to be in lawfull Aſſemblies; The regiſter cleareth this. II.

No formall election of their new Clerk. III.

There were five whole Dyocies abſent, viz. *Orkney*, *Cathnes*, *Roſſe*, *Argyll*, and *Iſles*: and many Presbyteries had no Commiſſioners there, as the regiſter of that pretended Aſſembly beareth. IIII. V.

There were nineteen noble-men and Barrons, eleven Biſhops, that had no Commiſsion from the Kirk. Whereas the act for conſtitution of Aſſemblies, ordaineth every Burgh to have but one Commiſſioner, except *Edinburgh*, which may have two (Act at *Dundie*, 1597) yet in that pretended Aſſembly, *Perth* had three Commiſſioners, *Dundie* had two, *Glaſgow* had two, and S^t. *Andrews* had two: Of the Burghes there were thirtie ſix abſent: And for ruling Elders, there were none at all with commiſsion from their Presbyteries. All theſe things are cleared by the records of that pretended Aſſemblie.

The Commiſsioners from ſome Presbyteries exceeded their number, preſcribed in the act at *Dundie*, 1597. for the Presbyterie of *Arbroth* were foure Commiſſioners, and foure for the Presbyterie of *Aughter-ardour*: Beſide theſe that were heard to vot, having no commiſſion at all, and ſome who had commiſſion were rejected, and were not enrolled, but others put in their place without commiſſion. VI.

The pretended Biſhops did practiſe ſome of the articles to be concluded there, before the pretended Aſſembly, in *Edinburgh*, S^t. *Andrews*, and other cathedrall Churches, by keeping feſtivall dayes, kneeling at the Communion. Thus their voices were prejudged by their practiſe of theſe articles before condemned by the Kirk, and therefore they ſhould have been ſecluded from voicing. VII.

In all lawfull Aſſemblies, the voicing ſhould be free: But in this pretended Aſſembly there were no free voicing; for the voicers were threatned to voice *affirmativè*, under no leſſe pain nor the wrath of authoritie, impriſonment, baniſhment, deprivation of miniſters, and utter ſubverſion of the ſtate: Yea, it was plainly profeſſed, that neither reaſoning, nor the number of voices ſhould carie the matter away: Which is qualified by the declaration of many honeſt old reverend brethren of the miniſtery now preſent. VIII.

In all lawfull Aſſemblies, the grounds of proceeding were, and uſed to be, the word of God, the confeſſion of Faith, and acts of former generall Aſſemblies. But in this pretended Aſſembly, the ground of their proceeding in voicing, was the kings commandment only: For ſo the queſtion was ſtated: *Whether the five articles, in reſpect of his Majeſties commandement, ſhould paſſe in act, or not*: as the records of that pretended Aſſembly beareth. Where it is declared, that for the reverence and reſpect which they bear unto his Majeſties royall commandements, they did agree to the foreſaids articles. IX.

Many other reaſons verifying the nullitie of all theſe Aſſemblies, were ſhowen and proven before the Aſſembly, which needeth not here to be inſert. X.

Act. Sess. 13. December 5. 1638.

Against the unlawfull oathes of intrants.

THe six Assemblies immediately preceeding, for most just and weightie reasons above-specified, being found to be unlawfull, and null from the beginning: The Assembly declareth the oathes and subscriptions exacted by the Prelates of intrants in the ministerie all this time by past (as without any pretext of warrand from the Kirk, so for obedience of the acts of these null Assemblies, and contrare to the ancient and laudable constitutions of this Kirk, which never have been nor can be lawfully repealled, but must stand in force) to be unlawfull, and no way obligatorie. And in like manner declareth, that the power of Presbyteries, and of provinciall and generall Assemblies, hath been unjustly suppressed, but never lawfully abrogate. And therefore that it hath been most lawfull unto them, notwithstanding any point unjustly objected by the Prelats to the contrare, to admit, suspend, or deprive ministers, *respective* within their bounds, upon relevant complaints sufficiently proven; to choose their own Moderatours, and to execute all the parts of ecclesiasticall jurisdiction according to their own limits appoined them by the Kirk.

Act. Sess. 14. December 6. 1638.

Condemning the service book, book of Canons, book of ordination, and the high Commission.

I. THe Assembly having diligently considered the book of common prayer, lately obtruded upon the reformed Kirk within this Realme, both in respect of the manner of the introducing thereof, and in respect of the matter which it containeth, findeth that it hath been devised and brought in by the pretended Prelats, without direction from the Kirk; and pressed upon ministers without warrand from the Kirk, to be universally received as the only forme of divine service, under all highest paines, both civill and ecclesiasticall, and the book it self, beside the *popish* frame and forms in divine worship, to containe many *popish* errours and ceremonies, and the seeds of manifold and grosse superstition and idolatrie. The Assembly therefore all in one voice, hath rejected, and condemned and by these presents doth reject and condemne the said book, not only as illegally introduced, but also as repugnant to the doctrine, discipline and order of this reformed Kirk, to the confession of Faith, constitutions of generall Assemblies, and acts of Parliament establishing the true Religion; and doth prohibite the use and practise thereof: and ordaines Presbyteries to proceed with the censure of the Kirk against all such as shall transgresse.

II. The Assembly also, taking to their consideration the book of Canons, and the manner how it hath been introduced, findeth that it

hath been devised by the pretended Prelats, without warrand or direction from the generall Assembly; and to establish a tyrannicall power in the persons of the pretended Bishops, over the worship of God, mens consciences, liberties and goods, and to overthrow the whole discipline and government of the generall and Synodall Assemblies, Presbyteries, and Sessions formerly established in our Kirk.

Therefore the Assembly all in one voice hath rejected and condemned, and by these presents doth reject and condemne the said book, as contrare to the confession of our Faith, and repugnant to the established government, the book of Discipline, and the acts and constitutions of our Kirk: prohibits the use and practise of the same; and ordains Presbyteries to proceed with the censure of the Kirk against all such as shall transgresse.

The Assembly having considered the book of consecration and ordination, findeth it to have been framed by the Prelats, to have been introduced and practised without warrand of authority, either civill or ecclesiasticall: and that it establisheth offices in Gods house, which are not warranded by the word of God, and are repugnant to the Discipline, and constitutions of our Kirk, that it is an impediment to the entrie of fit and worthie men to the ministery, and to the discharge of their durie after their entrie, conforme to the discipline of our Kirk. Therefore the Assembly all in one voice hath rejected and condemned, and by these presents doe reject and condemne the said book; and prohibits the use and practise of the same: And ordaines Presbyteries to proceed with the censure of the Kirk against all such as shall transgresse. III.

The generall Assembly, after due tryall, having found that the Court of high Commission, hath been erected without the consent or procurement of the Kirk, or consent of the Estates in Parliament, that it subverteth the jurisdiction and ordinarie judicatories and Assemblies of the Kirk, Sessions, Presbyteries, provinciall and nationall Assemblies, that it is not regulate by lawes civill or ecclesiasticall, but at the discretion and arbitrement of the Commissioners; that it giveth to ecclesiasticall persons, the power of both the swords, and to persons meerly civill, the power of the keys and Kirk censures: Therefore the Assembly all in one voice, hath disallowed and condemned, and by these presents doth disallow and condemne the said court, as unlawfull in it selfe, and prejudiciall to the liberties of Christs Kirk and Kingdome, the Kings honour in maintaining the established lawes and judicatories of the Kirk; and prohibits the use and practise of the same; and ordaines Presbyteries to proceed with the censures of the Kirk, against all such as shall transgresse. IIII.

After the serious discussing of the severall Processes, in many Sessions, from Sess. 14. (which are in the Clerks hands, and needeth not here to be insert) the following sentences were solemnly pronounced after Sermon by the Moderatour, in the Assembly of Glasgow, *Sess. 20. December 13. 1638.*

Sentence

Sentence of depoſition and excommunication againſt Mr. *Iohn Spottiswood*, pretended Archbiſhop of St. *Andrews*: Mr. *Patrick Lindſay*, pretended Archbiſhop of *Glaſgow*: Mr. *David Lindſay*, pretended Biſhop of *Edinburgh*: Mr. *Thomas Sidſerfe*, pretended Biſhop of *Galloway*: Mr. *Iohn Maxwell*, pretended Biſhop of *Roſſe*: Mr. *Walter Whytfoord*, pretended Biſhop of *Brechen*.

THe generall Aſſembly, having heard the lybels and complaints, given in againſt the foreſaids pretended Biſhops to the Presbyterie of *Edinburgh*, and ſundry other Presbyteries within their pretended Dyocies, and by the ſaids Presbyteries referred to the Aſſembly, to be tryed: The ſaids pretended Biſhops being lawfully cited, often-times called, and their Procutour *Doctour Robert Hammiltoun*, and not compearing, but declining and proteſting againſt this Aſſembly, as is evident by their declinatour and proteſtation given in by the ſaid *Doctour Robert Hammiltoun* miniſter at *Glasfoord*, which by the acts of Aſſembly is cenſurable with ſummar excommunication: Entered in conſideration of the ſaid declinatour, and finding the ſame not to be relevant, but on the contrare to be a diſplayed banner againſt the ſetled order and government of this Kirk, to be fraughted with inſolent and diſdainfull ſpeeches, lies and calumnies againſt the lawfull members of this Aſſembly, proceeded to the cognition of the ſaids complaints, and lybels againſt them; and finding them guiltie of the breach of the cautions, agreed upon in the Aſſembly holden at *Montroſe*, *Anno* 1600. for reſtricting of the miniſter voter in Parliament, from incroaching upon the liberties and juriſdiction of this Kirk, which was ſet down with certification of depoſition, infamie, and excommunication, ſpecially for receiving of conſecration to the office of Epiſcopacie, condemned by the confeſſion of Faith, and acts of this Kirk, as having no warrand, nor foundament in the word of God, and by vertue of this uſurped power, and power of the high Commiſſion, preſſing the Kirk with novations in the worſhip of God, and for ſundrie other haynous offences, and enormities, at length expreſſed, and clearly proven in their proceſſe, and for their refuſall to underly the tryall of the reigning ſlander of ſundrie other groſſe tranſgreſſions and crymes laid to their charge: Therefore the Aſſembly moved with zeal to the glorie of God, and purging of his Kirk, hath ordained the ſaids pretended Biſhops to be depoſed, and by theſe preſents doth depoſe them, not only of the office of Commiſſionarie to vote in Parliament, Councell, or Convention in name of the Kirk, but alſo of all functions whether

of pre-

of pretended Episcopall or ministeriall calling, declareth them infamous. And likewise ordaineth the saids pretended Bishops to be excommunicate, and declared to be of these whom Christ commandeth to be holden by all and every one of the faithfull as ethnicks, and publicanes; and the sentence of excommunication to be pronounced by Mr. *Alexander Henderson*, Moderatour in face of the Assembly in the high Kirk of *Glasgow*: and the execution of the sentence to bee intimat in all the Kirks of *Scotland* by the Pastours of every particular congregation, as they will be answerable to their Presbyteries and Synods, or the next generall Assembly, incase of the negligence of Presbyteries and Synods.

Sentence of deposition and excommunication,

Against Mr. Adam Ballantyne, *pretended Bishop of* Aberdeen, *and* Mr. *Iames Wedderburn pretended Bishop of* Dumblane.

THe generall Assembly, having heard the lybels and complaints given in against the foresaids pretended Bishops, of *Aberdeen*, and *Dumblane*, to the Presbytery of *Edinburgh*, and sundry Presbyteries within their pretended Dyocies, and by the saids Presbyteries referred to this Assembly to be tryed: The saids pretended Bishops being lawfully cited, often-times called, and not compearing, proceeded to the cognition of the complaints and lybels against them, and finding them guiltie of the breach of the cautions, agreed upon in the Assembly holden at *Montrose*, Anno 1600. for restricting the minister voter in Parliament, from encroaching upon the liberties and jurisdictions of this Kirk, which was set down with certification of deposition, infamie and excommunication, specially for receiving consecration to the office of Episcopacie, condemned by the confession of Faith, and acts of this Kirk, as having no warrand nor foundament in the word of God, and by vertue of this usurped power, and power of the high Commission, pressing the Kirk with novations in the worship of God, and for sundry other haynous offences and enormities, at length expressed, and clearly proven in their Processe, and for their refusall to underly the tryall of the reigning slander of sundry other grosse transgressions and offences laid to their charge: Therefore the assembly moved with zeal to the glorie of God, and purging of the Kirk, hath ordained the saids pretended Bishops to be deposed, and by these presents doth depose them, not only of the office of Commissionary to or in Parliament, Councell, or Convention, in name of the Kirk, but also of all functions, whether of pretended Episcopall or ministeriall calling, declareth them infamous: And likewise ordains the saids pretended Bishops to be excommunicate, and declared to be of these whom Christ commanded to be holden by all and every one of the faithfull as Ethnicks

as Ethnicks and Publicans, and the ſentence of excommunication to be pronounced by Mr. *Alexander Henderſon* Moderatour, in face of the Aſſembly, after Sermon, in the high Kirk of *Glaſgow*: and that the execution of the ſentence be intimat in all the Kirks within this Realme, by the Paſtours of every particular Congregation, as they will be anſwerable to their Presbyteries and Synods, or the next generall Aſſembly, incaſe of the negligence of Presbyteries and Synods.

Sentence of depoſition againſt Maſter *Iohn Guthry*, pretended Biſhop of *Murray*: Mr. *Iohn Grahame* pretended, Biſhop of *Orknay*: Mr. *Iames Fairlie*, pretended Biſhop of *Liſmoir*: Mr. *Neil Cambell*, pretended Biſhop of *Iſles*.

THe generall Aſſembly having heard the lybels and complaints given in againſt the foreſaids pretended Biſhops, to the Presbyterie of *Edinburgh*, and ſundrie Presbyteries within their Dyocies, and by the ſaids Presbyteries referred to this Aſſembly to bee tryed: The ſaids pretended Biſhops being lawfully cited, often-times called, and not compearing, proceeded to the cognition of the complaints and lybels againſt them; and finding them guiltie of the breach of the cautions agreed upon in the Aſſembly at *Montroſe*, *Anno* 1600. for reſtricting of the miniſter voter in Parliament, from incroaching upon the liberties and juriſdictions of this Kirk, which was ſet down with certification of depoſition, infamie and excommunication; and eſpecially for receiving conſecration to the office of Epiſcopicie condemned by the confeſſion of Faith, and acts of this Kirk, as having no warrand nor foundament in the word of God, and by vertue of this uſurped power, and power of the high commiſſion, preſſing the Kirk with novations in the worſhip of God; and for their refuſall to underly the tryall of the reigning ſlander of ſundrie other groſſe tranſgreſſions and offences, laid to their charge: Therefore the Aſſembly, moved with zeal to the glorie of God, and purging of this Kirk, ordaines the ſaids pretended Biſhops, to bee depoſed, and by theſe preſents doth depoſe them, not only of the office of commiſſionarie, to vote in Parliament, Councel, or convention in name of the Kirk: But alſo of all functions, whether of pretended Epiſcopall, or miniſteriall calling: And likewiſe incaſe they acknowledge not this Aſſembly, reverence not the conſtitutions thereof, and obey not the ſentence, and make not their repentance, conforme to the order preſcribed by this Aſſembly, ordaines them to be excommunicated, and declared to bee of theſe whom Chriſt commandeth to be holden by all and every one of the

of the faithfull as Ethnicks and Publicanes: and the sentence of excommunication to be pronounced upon their refusall, in the Kirks appointed, by any of these who are particularly named, to have the charge of trying their repentance or impenitencie; and that the execution of this sentence bee intimate in all the Kirks within this Realme by the Pastours of every particular Congregation, as they will be answerable to their Presbyteries and Synods, or the next generall Assembly, incase of negligence of the Presbyteries and Synods.

Sentence of deposition against Maister *Alexander Lindsay* pretended Bishop of *Dunkell.*

THe generall Assembly having heard the complaint and lybel given in against Mr. *Alexander Lindesay* pretended Bishop of *Dunkell*, to the Presbytery of *Edinburgh*, and sundry Presbyteries of his pretended Dyocie, and by the Presbyteries referred to this Assembly to be tryed: The said pretended Bishop being lawfully cited, often-times called, & not compearing; but by a letter of excuse submitting himself to the Assembly, proceeded to the cognition of the complaint and lybell it selfe against him, and finding him guiltie of the breach of the cautions agreed upon in the Assembly holden at *Montrose*, *Anno* 1600. for restricting the minister voter in parliament, from encroaching upon the liberties and jurisdictions of this Kirk, which was set down with certification of deposition, infamie and excommunication, especially for receiving consecration to the office of Episcopacie condemned by the confession of Faith, and acts of this Kirk, as having no warrand nor foundament in the word of God, and by vertue of this usurped power, and power of the high Commission, pressing the Kirk with novations in the worship of God: Therefore the Assembly moved with zeal to the glory of God, and purging of this Kirk, hath ordained the said Mr. *Alexander* to bee deposed, and by these presents deposeth him, from the pretended Episcopall function, and from the office of commissionarie to vote in Parliament, Councell or Convention in name of the Kirk, and doth suspend him from all ministeriall function, and providing he acknowledge this Assembly, reverence the constitutions of it, and obey this sentence, and make his repentance conforme to the order prescribed, continueth him in the ministerie of St. *Madoze*; And likewise, if he acknowledge not this Assembly, reverence not the constitutions of it, and obey not the sentence, and make his repentance, conforme to the order prescribed by this Assembly, ordains him to be excommunicat, and declared to bee one of those whom

Christ commandeth to bee holden by all and every one of the faithfull, as an Ethnick and Publicane, and the sentence of excommunication to be pronounced upon his refusall, in the Kirks appointed, by one of these who are particularly named, to have the charge of trying his repentance or impenitencie, and that the execution of this sentence be intimate in all the Kirks within this Realme, by the Pastours of every particular congregation, as they will be answerable to their Presbyteries and Synods, or the next generall Assembly, incase of the negligence of Presbyteries, and Synods.

Sentence of deposition against Master *Iohn Abernethie* pretended Bishop of *Cathnes*.

THe generall Assembly having heard the lybell and complaint given in against Mr. *Iohn Abernethie* pretended Bishop of *Cathnes* to the Presbytery of *Edinburgh*, and sundry Presbyteries within his Dyocie: And by the saids Presbyteries, referred to this Assembly to be tryed: The said pretended Bishop being lawfully cited, often-times called, and not compearing, but by his letter of excuse upon his sickneſſe, proceeded to the cognition of the complaint and lybell it selfe against him, and finding him guiltie of the breach of the cautions, agreed upon in the Assembly holden at *Montrose*, *Anno* 1600. for restricting the minister voter in Parliament, from encroaching upon the liberties and jurisdictions of this Kirk, which was set down with certification of deposition, infamie and excommunication, specially for receiving consecration to the office of Episcopacie, condemned by the confession of Faith, and acts of this Kirk, as having no warrand nor foundament in the word of God, and by vertue of his usurped power, and power of the high Commission, pressing the Kirk with novations in the worship of God: Therefore the assembly moved with zeal to the glorie of God, and purging of this Kirk, hath ordained the said Mr. *Iohn* to be deposed, and by these presents deposeth him from the pretended Episcopall function, and from the office of Commissionary to vote in Parliament, Councel, or convention, in name of the Kirk, and doth suspend him from the ministeriall function. And providing he acknowledge this Assembly, reverence the constitutions of it, and obey the sentence, and make his repentance conforme to the order prescribed by this Assembly, will admit him to the ministerie of a particular flock; and likewise, incase he acknowledge not this Assembly, reverence not the constitutions of it, and make his repentance conforme to the order prescribed by this Assembly, ordains him to be excommunicate, and declared to be one of these whom Christ commandeth to bee holden by all and every one of the faithfull as an Ethnick and Publicane: and the sentence of excommunication to be pronounced upon his

on his refusall in the Kirks appointed, by one of these who are particularly named to have this charge of trying his repentance or impenitencie, and that the execution of this sentence be intimat in all the Kirks within this Realme, by the Pastours of every particular Congregation, as they will be answerable to their Presbyteries and Synods, or the next generall Assembly, incase of the negligence of Presbyteries and Synods.

Act of the Assembly at *Glasgow* Sess. 16.

December 8. 1638. *Declaring Episcopacie to have been abjured by the Confession of Faith*, 1580. *And to be removed out of this Kirk.*

THe Assembly taking to their most grave and serious consideration, first the unspeakable goodnesse, and great mercy of God, manifested to this Nation, in that so necessarie, so difficult, and so excellent and divine work of reformation, which was at last brought to such perfection, that this Kirk was reformed, not only in doctrine and worship, but also after many conferences and publick reasonings in divers nationall Assemblies, joyned with solemne humiliations and prayers to God, the discipline and government of the Kirk, as the hedge and guard of the doctrine and worship, was prescribed according to the rule of Gods word, in the book of Policie and Discipline, agreed upon in the Assembly 1578. and insert in the register 1581. established by the acts of Assemblies, by the confession of Faith, sworn and subscribed, at the direction of the Assembly, and by continuall practise of this Kirk: Secondly, that by mens seeking their own things, and not the things of Iesus Christ; divers novations have been introduced to the great disturbance of this Kirk, so firmly once compacted, and to the endangering of Religion, and many grosse evils obtruded, to the utter undoing of the work of reformation, and change of the whole forme of worship and face of this Kirk: Thirdly, that all his Majesties Subjects both Ecclesiastical and civil, being without consent of the Kirk, commanded to receive with reverence a new book of common prayer, as the only forme to be used in Gods publick worship, and the contraveeners to be condignely censured, and punished, and after many supplications and complaints, knowing no other way for the preservation of Religion, were moved by God, and drawne by necessitie, to renew the nationall *Covenant* of this Kirk, and Kingdome, which the Lord since hath blessed from heaven, and to subscribe the *Confession of Faith*, with an application thereof, abjuring the great evils wherewith they were now pressed, and suspending the practise of all novations formerly introduced, till they should bee tryed in a free generall Assembly: Lastly, that some of his Majesties Subjects of sundrie ranks, have by his Majesties commande-

ment ſubſcribed and renewed the confeſſion of Faith, without the former application, and that both the one and the other ſubſcribers have ſubſcribed the ſaid Confeſſion of Faith in this year, as it was profeſſed, and according to the meaning that it had in this Kingdome, when it was firſt ſubſcribed 1581. and afterward, The Aſſembly therefore, both by the ſubſcription of his Majeſties high *Commiſſioner*, and of the Lords of ſecret Councel, Septem. 22. 1638. And by the acts of Councel, of the date foreſaid, bearing that they ſubſcribed the ſaid Confeſſion, and ordaining all his Majeſties Liedges to ſubſcribe the ſame, according to the foreſaid date and tennour, and as it was then profeſſed within this Kingdome, as likewiſe by the Proteſtation of ſome of the Senatours of the Colledge of juſtice, when they were required to ſubſcribe, and by the many doubtings of his Majeſties good Subjects, eſpecially becauſe the ſubſcribers of the Confeſſion in *Febʳuary* 1638. are bound to ſuſpend the approbation of the corruptions of the government of the Kirk, till they be tryed in a free generall Aſſembly; finding it proper for them, and moſt neceſſary and incumbent to them, to give out the true meaning thereof as it was at firſt profeſſed, That all his Majeſties Subjects in a matter ſo important; as is the publick Confeſſion of Faith, ſo ſolemnely ſworn and ſubſcribed, may be of one minde, and one heart, and have full ſatisfaction to all their doubts, and that the poſteritie afterward may be fully perſwaded of the true meaning thereof, after earneſt calling upon the name of God, ſo religiouſly atteſted in the ſaid Confeſſion; have entered into a diligent ſearch of the regiſters of the Kirk, and books of the generall Aſſembly, which the greateſt part of the Aſſembly had not ſeen before; and which by the ſpeciall providence of God were preſerved, brought to their hands, and publickly acknowledged to bee authentick, and have found that in the latter confeſſion of the Kirk of *Scotland*: We profeſſe, *that we deteſte all traditions brought into the Kirk without, or againſt the word of God, and doctrine of this reformed Kirk*: Next, *we abhorre and deteſte all contrarie religion and doctrine*, but chiefly, *All kinde of papiſtry in generall, and particular heads, as they were then damned and confuted by the word of God, and Kirk of* Scotland, *when the ſaid Confeſſion was ſworn and ſubſcribed*, Anno 1580. *and* 1581. 1590. *and* 1591. Thirdly, *that we deteſte the Romane Antichriſt, his worldly monarchie, and wicked hierarchie*: Fourthly, *that we joyn our ſelves to this reformed Kirk in Doctrine, Faith, Religion, and diſcipline, promiſing and ſwearing by the great name of GOD, that we ſhall continue in the Doctrine and Diſcipline of this Kirk, and defend the ſame according to our vocation and power, all the dayes of our life.*

But ſo it is that Epiſcopall government is abhorred and deteſted, and the government by Miniſters and Elders, in Aſſemblies generall and provinciall, and Presbyteries was ſworn to, and ſubſcribed in ſubſcribing that Confeſſion, and ought to be holden by us, if we adhere to the meaning of the Kirk, when that Confeſſion was framed, ſworn to, and ſubſcribed; unto which we are obliged by the na-

the nationall oath and subscription of this Kirk, as is evident by the acts of generall Assemblies, agreed upon both before, at, and after the swearing and subscribing of the said Confession, in the years above-mentioned, and the book of policie agreed upon in the Assembly which was holden at *Edinburgh* the twentie foure of *April*, and twentie foure of *October*, *Anno* 1578. Insert in the register of the Kirk, by ordinance of the Assembly holden at *Glasgow* 1581. and to be subscribed by all Ministers, that then did bear, or thereafter were to bear office in this Kirk, by ordinance of the Assembly holden the fourth of *August* at *Edinburgh* 1590. And at *Edinburgh* the second of *July* 1591. but specially in the 2. 3. 4. 6. 7. and 11 chapters of the said book.

The Bishops being tollerat from the year 1572. till the Assembly holden in *August* 1575. And all this time the Assembly being wearied with complaints made against them, did enter in search of the office it selfe, and did agree in this, that the name of a Bishop is common to every one of them that hath a particular flock, over which he hath a particular charge, as well to preach the word, as to minister the Sacraments.

At the next Assembly which was holden in *April* 1576. Such Bishops were censured as had not taken them to a particular flock. In the generall Assembly conveened in *April* the year of God 1578. Sess. 4. Intimation was made as followeth.

For so much as the heads of the policie being concluded and agreed upon in the last Assembly, by the most part of the brethren: certain of the brethren had some difficultie in the head de diaconatu, *whereupon farther reasoning was reserved to this Assembly: It is therefore required, if any of the brethren have any reasonable doubt or argument to propone, that he be ready the morow, and then shall be heard and resolved.* In the 6. Sess. *April* 26. According to the ordinance made the day before; all persons that had any doubt or argument to propone, were required to propone the same: but none offered to propone any argument on the contrare.

In the Assembly holden at *Edinburgh*, in *October* 1578. It was shown by the Moderatour thereof to the noble-men, who were present, viz. *My Lord Chancelour*, the Earle of *Montrose*, my Lord *Seaton*, and my Lord *Lindsay*, *What care and study the Assembly had taken to entertain and keep the puritie of the sincere word of God, unmixed with the inventions of their own heads, and to preserve it to the posteritie hereafter, and seeing that the true Religion is not able to continue nor endure long without a good Discipline and policie, in that part also have they imployed their wit and studie, and drawen forth out of the pure fountain of Gods word, such a Discipline as is meet to remain in the Kirk.*

In the same Assembly, the speciall corruptions were set down, which they craved such of the Bishops as would submit themselves to the Assembly to remove, with promise, that if the generall Assembly hereafter shall finde farther corruptions in the said estate, then hitherto are expressed, that they be content to be reformed by the said

the said Assembly, according to the word of God, when they shall be required thereto. First, *That they be content to bee Pastours and Ministers of one flock: That they usurpe no criminall jurisdiction, That they vote not in Parliament in name of the Kirk, without Commission from the Kirk: That they take not up for the maintenance of their ambition and riotousnesse, the emoluments of the Kirk, which may sustain many Pastours, the Schools, and the poore; but be content with reasonable livings according to their office: That they claime not to themselves the titles of Lords temporall, neither usurpe temporall jurisdictions, whereby they are abstracted from their office: That they empyre not above the particular Elderships, but be subject to the same: That they usurpe not the power of the Presbyteries.*

The question being proponed by the Synod of *Louthian* in the Assembly holden in *Iuly* 1579. anent a generall order to be taken for erecting of Presbyteries in places where publick exercise is used, untill the time the policie of the Kirk be established by a law: It is answered, *The exercise may be judged to be a Presbyterie.* In the Assembly holden at *Dundie* in *Iuly* 1580. Sess. 4. The office of a Bishop was abolished by a particular act; as appeareth by the tenour of the act following.

, For so much as the office of a Bishop, as it is now used and commonly , taken within this Realme, hath no sure warrand, authoritie, nor good ground , in the Scriptures, but is brought in by the foly and corruption of mans , inventions, to the great overthrow of the Kirke of God, the whole , Assembly of the Kirk in one voice, after libertie given to all men to , reason in the matter, none opponing himself in defending the said pre- , tended office, findeth and declareth the said pretended office, used and , termed, as is above said, unlawfull in the selfe, as having neither , foundament, ground, nor warrand in the word of God, and ordaineth , that all such persons, as brook or shall brook hereafter the said office, shall , be charged simply to dimit, quite, and leave off the same, as an office , whereunto they are not called of God: and such like, to desist and cease , from all preaching, ministration of the Sacraments, or using any way the , office of pastours, while they receive de novo, *admission from the ge- , nerall Assembly, under the pain of excommunication to be used against , them, wherein if they be found disobedient, or contradict this act in any , point, the sentence of excommunication, after due admonition, to be exe- , cute against them.*

In the same Assembly holden *Anno* 1580. Sess. 10. This article was appointed to be proponed to the King and Councel, that the book of policie might be established by an act of privie Councel, *while a Parliament be holden, at which it might be confirmed by a law.*

The extent of the act made at *Dundie*, was interpreted and explained in the Assembly, holden at *Glasgow*, in *April*, 1581. Sess. 6. as followeth.

, Anent the act made in the Assembly holden at Dundie *against Bishops, , Because some difficultie appeared to some brethren to arise out of the word , [office] contained in the said act, what should be meaned thereby, The , Assembly consisting for the most part of such as voted, and were present in*

the

the Assembly at Dundie, *to take away the said difficultie, resolving upon the true meaning and understanding of the said act, declare that they meaned wholly to condemne the whole estate of Bishops, as they are now in* Scotland, *and that the same was the determination and conclusion of the Assembly at this time, because some brethren doubted, whether the former act was to be understood of the* spirituall function *only, and others alledged, that the* whole office of a Bishop *as it was used, was damnable, and that by the said act, the Bishops should be charged to dimit the same: This Assembly declareth that they meaned wholly to condemne the whole estate of Bishops, as they were then in* Scotland, *and that this was the meaning of the Assembly, at that time.*

The Kings *Commissioner* presented to this Assembly the confession of Faith, subscribed by the King, and his household, not long before, together with a plot of the Presbyteries to be erected, which is registrate in the books of the Assembly, with a letter to be directed from his Majestie to the noble-men and gentle-men of the Countrey, for the erection of Presbyteries, consisting of Pastours, and Elders, and dissolution of Prelacies, and with an offer to set forward the policie untill it were established by Parliament. The Kings letter subscribed by his hand, to the Noble-men, and Gentle-men, was read in open audience of the whole Assembly.

This Assembly ordained the book of Policie to be insert in the register by the act following.

For as much as travels have been taken in the framing of the policie of the Kirk, and diverse suits have been made to the Magistrat for approbation thereof, which yet have not taken the happie effect, which good men would wish, yet that the posteritie may judge well of the present age, and of the meaning of the Kirk; The Assembly hath concluded, that the book of Policie agreed to, in diverse Assemblies before, should be registrat in the acts of the Kirk, and remaine therein ad perpetuam rei memoriam: *And the coppies thereof to be taken to every Presbyterie: Of which book the tennour followeth, &c.*

Immediatly after the inserting of the book of Policie, called there the book of Discipline, the Assembly ordained that the confession of of Faith be subscribed as followeth.

Anent the confession of Faith lately set forth by the Kings Majestie, and subscribed by his highnesse: The Assembly in one voice, acknowledgeth the said Confession to be a true, Christian, and faithfull confession, to bee agreed unto by such as truly professe Christ, and have a care of Religion, and the tennour thereof to be followed out efoldly as the samine is laid out in the said Proclamation, wherein that Discipline is sworn to.

In the generall Assembly holden at *Edinburgh* in *October* 1581. Sess. 10. Mr. *Robert Montgomery* is accused for teaching that Discipline is a thing indifferent. Sess. 23. The Assembly gave commission to the Presbyterie of *Stirling*, to charge Mr. *Robert Montgomerie*, to continue in the ministerie of *Stirling*, and not to medle with any other office or function of the Kirk, namely in aspyring to the Bishoprick of *Glasgow*, against the word of God, and acts of the Kirk, under the pain of excommunication.

In

In the ſame Aſſembly it is acknowledged that the eſtate of Biſhops is condemned by the Kirk, commiſſion for erection of moe Presbyteries was renewed: and a new ordinance made for ſubſcribing the confeſſion of Faith, and to proceed againſt whatſoever perſons that would not acknowledge and ſubſcribe the ſame.

In the Aſſembly holden in *April* 1582. there was a new commiſſion for erection of Presbyteries, where none was as yet erected: Mr. *Robert Montgomerie*, pretending to be Biſhop of *Glaſgow* was ordained to be depoſed and excommunicat, except hee gave evident tokens of repentance, and promiſe to ſuperſeed, which he did not: and therefore he was excommunicat ſhortly after, according to the ordinance of this Aſſembly.

In the generall Aſſembly holden at *Edinburgh* 1582. The generall Aſſembly gave commiſſion to ſome Presbyteries, to try and cenſure ſuch as were called Biſhops, for the great ſlander ariſing by their impunitie. Commiſſion was given at this Aſſembly to preſent ſome articles to the Councel and Eſtates, for approving and eſtabliſhing by their authoritie the Presbyteries, the Synodall, and generall Aſſemblies. In the 19. Seſſ. The Aſſembly declared, that no Biſhop may ſit upon the Councell in name of the Kirk.

In the Aſſembly holden *Anno* 1586. Theſe two articles were agreed upon. Firſt: *It is found that all ſuch as the Scripture appointeth governours of the Kirk, to wit paſtours, Doctours, and Elders, may conveen to the generall Aſſemblies, and vote in Eccleſiaſticall matters.* Secondly: *There are foure office bearers ſet down to us by the Scriptures, to wit, Paſtours, Doctours, Elders, and Deacons, and the name of Biſhop ought not to be taken as it hath been in time of Papiſtrie, but is common to all Paſtours, and Miniſters.*

In the Aſſembly holden *Anno* 1587. Seſſ. 8. It was ordained that the admiſſion of Mr. *Robert Montgomerie* by the Presbyterie of *Glaſgow*, ſuppoſe to the temporalitie of the Biſhoprick only, be undone and annulled with all poſſible diligence, to the effect ſlander might be removed from the Kirk. In Seſſ. 15. Mr. *Robert Pont* ſhewed the Kings preſentation to the Biſhoprick of *Cathnes*, & deſired the judgement of the Aſſembly. The Aſſembly in their letter to the Kings Majeſtie, declared that they judged the ſaid Mr. *Robert* to be a Biſhop already, according to the doctrine of St. *Paul*: But as to that corrupt eſtate or office, of theſe who have been termed Biſhops heretofore, they found it not agreeable to the word of God, and that it hath been damned in diverſe Aſſemblies before.

In the inſtructions given to ſuch as were appointed to wait upon the Parliament, it was ordained in the ſame Aſſembly Seſſ. 17, That they be carefull that nothing be admitted prejudiciall to the liberties of this Kirk, as it was concluded according to the word of God in the generall Aſſemblies, preceeding the year 1584, but preciſely to ſeek the ſame to bee ratified in the Aſſembly, holden in *March* 1589. where the articles were made for ſubſcribing the confeſſion of Faith with the generall band, it was ordained as followeth.

For

; *For so much as the neighbour Kirk in* England *is understood to bee hea-*
; *vily troubled, for maintaining of the true Discipline and government:*
; *whose grieves ought to move us. Therefore the Presbytery of* Edinburgh
; *was ordained to comfort the said Kirk in the said matter.*

In the Assembly holden 1590. when the confession of Faith was subscribed universally *de novo*, a ratification of the liberties of the Kirk, in her jurisdiction, discipline, Presbyteries, Synods, and generall Assemblies, and an abrogation of all things contrarie thereunto; was ordained to be sought both of the Councel and Parliament. In the next Session it was ordained that the book of discipline, specially the controverted heads, should be subscribed by all Ministers that bear, or hereafter was to bear office in this Kirk, and that they be charged by the Presbyteries, under the pain of excommunication: Seeing the word of God cannot be keeped in sincerity, unlesse the holy Discipline be preserved. The Presbyteries were ordained to get a coppie under the Clerks hand; there were sundrie coppies subscribed by the Ministers in the Presbyteries yet extant, as *Hadingtoun*, *Dumfermling*, &c. produced before the Assembly.

In the Assembly 1591. Sess. 4. The former act anent the subscription to the book of *Policie* is renewed, and a penaltie imposed upon the Moderatour, incase it be not put in execution.

In the Assembly 22. *May* 1592. Sess. 2. These articles were drawen up. *That the acts of Parliament made* 1584. *against the discipline, libertie and authoritie of the Kirk be annulled, and the samine discipline, whereof the Kirk hath been in practise, precisely ratified. That Abbots, Pryors, and other Prelats Pretending the title of the Kirk, be not suffered in time comming.* In the 11 Session the number of the Presbyteries were given up, and insert in the Parliament immediatly following. The fifth of *June* 1592. The libertie, discipline, and jurisdiction of the true Kirk, in her Sessions, Presbyteries, Synodall and generall Assemblies, is largely ratified, as the samine was used, and exercised within this realme, and all the acts contrary thereto abrogat: The Kings prerogative declared not to be prejudiciall to the same priviledges grounded upon the word of God, the former commissions to Bishops 1584. rescinded, and all Ecclesiasticall matters subjected to Presbyteries, according to the discipline of this Kirk. *Anno* 1595. The book of Policie with other acts is ratified and ordained to be printed.

It was also cleared that Episcopacie was condemned in these words of the Confession, His wicked Hierarchie. For the Popish *Hierarchie* doth consist of Bishops, Presbyters, and Deacons, that is baptizing and preaching Deacons: for so it is determined in the councel of *Trent*, in the 4. chap. De *Sacramento ordinis*, *cant.* 6. * *Si quis dixerit in ecclesia Catholica non esse hierarchiam divina ordinatione institutam, quæ constat ex episcopis presbyteris & ministris, anathema sit.* *Bellarmine* likewise in his book *Declericis*, *cap.* 11. saith, *That there are three Hierarchies in the militant Kirk: The first of Bishops, the second of Priests,*

* *Censura propositionum quarundam ex Hibernia delatarum per facultatem theologiæ parisiensis facta.*

Priests, the third of Deacons, and *that the Deacons are also princes, if they be compared with the people*: This proposition following; *Hierarchia ecclesiastica constat ex pontifice, Cardinalibus, archiepiscopis, episcopis & regularibus*, was censured by the Facultie of theologie in the Universitie at *Paris* as followeth, *In ista prima propositione enumeratio membrorum hierarchiæ ecclesiasticæ seu sacri principatus, divina ordinatione instituti est manca & redundans atque, inducens in errorem contrarium determinationi sacræ Synodi tridentinæ*: The proposition was defective, becauseit pretermitted the presbyters and Deacons; it was censured as redundant, because it made the *Hierarchie* to consist of the *Pope Cardinals, Archbishops*, and *regulars*; the *Pope* is not within the *Hierarchie*; *primats, metropolitanes*, and *Archbishops*, but as they are Bishops. Furthermore, this *Hierarchie* is distinguished in the confession from the *Popes monarchie*. And howbeit this *Hierarchie* be called the *Antichrists Hierarchie*, yet it is not to distinguish betwixt the *Hierarchie* in the popish Kirk, and any other as lawfull: But the *Hierarchie*, whersoever it is, is called his, as the rest of the popish corruptions are called his: To wit, *Invocation of Saints, canonization of Saints, dedication of altars, &c.* are called his, not that there is another lawfull canonization, invocation, or dedication of altars: whatsoever corruption was in the Kirk, either in doctrine, worship, or government, since the mystery of iniquitie began to work, and is retained, and maintained by the *Pope*, and obtruded upon the Kirk by his authority, are his. A passage also out of the history of the councell of *Trent* was alledged, where it is related, that the councell would not define the *Hierarchie* by the *seven orders*: We have in our confession of Faith *the manifold orders* set apart and distinguished from the *Hierarchie*, but as it is set down in the cannon above cited: We have in the book of Policie or second booke of Discipline, in the end of the second chapter, this conclusion agreed upon. *Therefore all the ambitious titles invented in the kingdome of Antichrist, and in his usurped* HIERARCHIE *which are not of one of these foure sorts, To wit, Pastours, Doctours, Elders, and Deacons: together with the offices depending thereupon, in one word ought to be rejected.*

All which and many other warrands being publickly read, and particularly at great length examined, and all objections answered in face of the Assembly, all the members of the Assembly being many times desired and required to propone their doubts, and scruples, and every one being heard to the full, and after much agitation as fully satisfied; the Moderatour at last exhorting every one to declare his minde, did put the matter to voicing in these termes: *Whether according to the confession of faith, as it was professed in the year* 1580. 1581. *and* 1590. *There be any other Bishop, but a Pastour of a particular flock, having no preheminence nor power over his brethren, and whether by that Confession, as it was then professed, all other episcopacie is abjured, and ought to bee removed out of this Kirk.* The whole Assembly most unanimously, without contradiction of any one (and with the hesitation of one allanerly) professing full perswasion of minde,

didvoice

did voice, *that all Episcopacie different from that of a Pastour over a particular flock, was abjured in this Kirk, and to be removed out of it.* And therefore Prohibites under ecclesiasticall censure any to usurpe, accept, defend, or obey the pretended authoritie thereof in time comming.

Act. Sess. 17. December 10. 1638.

The Assembly at Glasgow, *declaring the five Articles of* Perth *to have been abjured and to bee removed.*

THe Assembly remembring the uniformity of worship which was in this Kirk, before the articles of *Perth*, the great rent which entered at that time, and hath continued since, with the lamentable effects, that it hath produced, both against Pastours, and professours, the unlawfulnesse and nullitie of *Perth* Assembly already declared by this Assembly, and that in the necessarie renewing of the confession of Faith in *February* 1638. the practise of novations introduced in the worship of God, was suspended, till they should be determined in a free generall Assembly: and that in the same year at his Majesties command some had subscribed the confession of Faith, as it was professed when it was first subscribed: For these causes the Assembly entered into a diligent tryall of the foresaid articles, whether they be contrare to the confession of Faith, as it was meaned and professed in the year 1580. 1581. 1590. and 1591. And findeth that first in generall: In the confession of Faith we professe, *We willingly agree in our consciences to the forme of Religion, of a long time openly professed by the Kings Majestie, and whole body of this Realme, in all points, as unto Gods undoubted truth and verity, grounded only upon his written word, and therefore abhor and detest all contrary Religion and Doctrine, but chiefly, all kinde of papistrie, in generall and particular heads, even as they were then damned and confuted by the word of God and Kirk of* Scotland, *and in speciall, the Romane Antichrist, his five bastard sacraments, with all rites, ceremonies, and false doctrine, added to the ministration of the true Sacraments, without the word of God, his cruel judgement against Infants departing without the Sacrament, his absolute necessitie of baptisme, and finally, we detest all his vain allegories, rites, signes, and traditions brought into the Kirk without, or against the word of God, and doctrine of this true reformed Kirk, to the which we joyne our selves willingly in Doctrine, Faith, Religion, Discipline, and use of the holy Sacraments, as lively members of the same in Christ our Head; promising and swearing, &c.* And that these five articles are contrarie to the Religion then professed, were confuted by the word of God, and Kirk of *Scotland*, or are rites, and ceremonies, added to the ministration, of the true Sacraments, without

the word God, or nouriſh the popiſh judgement againſt Infants departing without the Sacrament, or abſolute neceſſitie, of Baptiſme or rites, ſignes, and traditions brought in to the Kirk, without or againſt the word of God, and doctrine of this true reformed Kirk.

And next in particular, concerning feſtivall dayes, findeth, that in the explication of the firſt head, of the firſt book of Diſcipline, it was thought good that the feaſts of *Chriſtmas*, *Circumciſion*, *Epiphanie*, with the feaſts of the Apoſtles, Martyres, and Virgine *Mary*, bee utterly aboliſhed, becauſe they are neither commanded nor warranded by Scripture, and that ſuch as obſerve them be puniſhed by civill Magiſtrats. Here utter abolition is craved, and not reformation of abuſes only: And that becauſe the obſervation of ſuch feaſts hath no warrand from the word of God. In the generall Aſſembly holden at *Edinburgh Anno* 1566. the large confeſſion of *Helvetia* was approved, but with ſpeciall exception againſt the ſame five dayes, which are now urged upon us. It was not then the popiſh obſervation only, with the popiſh opinion of worſhip and merit, which was diſallowed: (for ſo the reformed Kirk in *Helvetia* did not obſerve them) but *ſimpliciter* all obſervation. For this end was read a letter *in* Latine, ſent at that time by ſome of our divines to certaine divines in theſe parts to this purpoſe. In the Aſſembly holden 1575. in *Auguſt*, complaint was made againſt the Miniſters and Readers beſide *Aberdene*; becauſe they aſſembled the people to preaching and prayers upon certane feſtivall dayes: So that preaching and prayers upon feſtivall dayes was judged rebukable. It was ordained likewiſe, that complaint bee made to the Regent, upon the town of *Drumfreis*, for urging and convoying a Reader to the Kirk with Tabret and Whiſtle, to read prayers, all the holy dayes of *Chriſtmas*, upon the refuſall of their own Reader. Among the articles directed by this Aſſembly to the Regent: It was craved that all holy dayes here-to-fore keeped holy, beſide the Lords day, ſuch as *Tooleday*, and Saints dayes, and ſuch others may bee aboliſhed, and a certain penaltie appointed for banqueting, playing, feaſting upon theſe dayes. In the Aſſembly holden in *April*, *Anno* 1577. It was ordained that the viſitors with the advice of the Synodall Aſſembly, ſhould admoniſh Miniſters, preaching or miniſtrating the Communion at *Eaſter*, or *Chriſtmas*, or other like ſuperſtitious times, or Readers reading, to deſiſt, under the paine of deprivation. In the ninth head of the firſt book of Diſcipline, the reaſon is ſet down againſt *Eaſter* Communion. *Your honours are not ignorant how ſuperſtitiouſly the people run to that action at Paſcheven; as if the time gave vertue to the Sacrament, and how the reſt of the whole year, they are careleſſe and negligent, as if it appertained not to them, but at that time only. And for this reaſon, other times were appointed by that book, for that holy action.* In the Aſſembly holden 1596. begun in *March* 1595. at which time the *Covenant* was renewed, ſuperſtition and idolatrie breaking forth in obſerving feſtivall dayes; ſetting out of bone-fires, ſinging Carols, are reakoned amongſt the corruptions which were

to be amended: and the Pulpits did sound from time to time, against all shew of observing any festivall day whatsoever, except the Lords day.

Concerning kneeling at the Communion, findeth that in the confession of Faith prefixed before the Psalmes, and approved by our Kirk in the very beginning of the reformation, we have these words, *Neither in the ministration of the Sacraments, must we follow men: but as Christ himself hath ordained, so must they be ministred.* In the large confession of Faith chap. 23. It is required as necessary, for the right ministration of the Sacraments, that they bee ministred in such elements, and in such sort, as God hath appointed, and that men have adulterate the Sacraments with their own inventions: So that no part of Christs action abideth in the originall puritie. The judgement of our reformers, who drew up the large Confession, was by cleare evidents shewed to be contrary to this gesture in the act of receiving the Sacrament. In the order of celebrating the Lords Supper, prefixed before the Psalmes in meeter, *sitting and distributing by the Communicants*, are joined: as likewise by the second head of the first book of Discipline, as neerest to Christs own action, and to his perfect practise, and most convenient to that holy action, and all inventions devised by man are condemned, as alterations and accusations of Christs perfect ordinance: Ministers were enjoyned by act of Assembly in *December* 1562. To observe the order of *Geneva*: that is the English Kirk at *Geneva* (where Master *Knox* had been sometime Minister, in the ministration of the Sacraments. This act was renewed in the Assembly holden in *December* 1564. where Ministers are referred to the order set down before the Psalmes, for ministration of the Sacraments; which is all one with the former: for that was the order of the English Kirk at *Geneva*.

In the Parliament holden *Anno* 1567. It was declared that whosoever did not participate of the Sacraments, as they were then publickly administrat in this reformed Kirk, ought not to be reputed members of this Kirk. The act for the Kings oath at his coronation, to maintain the due administration of the Sacraments, as they were then ministred, *Anno* 1567. was ratified *Anno* 1581. At which time the short Confession, adhering to the use of the Sacraments in the Kirk of *Scotland*, was subscribed: as also *Anno* 1592. after the second Subscription to the confession of Faith. In the Parliament 1572. an act was made against such as did not participat of the Sacraments as they were then rightly ministered: But the gesture of kneeling in the act of receiving, putteth the ministration of the Sacrament used in this Kirk, out of frame: whereby it is clear that whatsoever gesture or rite, cannot stand with the administration of the Sacraments as they were then ministred and were ministred ever since the reformation, till the year 1618. must bee condemned by our Kirk, as a rite added to the true ministration of the Sacraments without the word of God, and as a rite or tradition brought in without or against the word of God, or doctrine of this reformed Kirk.

Concerning

III. Concerning *Confirmation*; The Assembly findeth it to be comprehended in the clause of the Confession, where the *five bastard sacraments* are condemned. And seeing *Episcopacie* is condemned, *imposition of hands* by Bishops falleth to the ground. And in all the acts for catechising or examination before admission to the communion, no inkling of *imposition of hands*.

IIII. Concerning the administration of the Sacraments *in private places*, or private baptisme, and private communion; findeth that in the book of common order, set down before the Psalmes, it is said, *That the Sacraments are not ordained of God to be used in private corners, as charmers and sorcerers use to doe, but left to the Congregation.* In the Assembly holden at *Edinburgh* in *October Anno* 1581. the same year and Assembly, that the confession of Faith was subscribed: It was ordained, *that the Sacraments be not administred in private houses, but solemnly according to good order hither-to observed.* The Minister of *Tranent* was suspended at that time, for baptizing an Infant in a private house: but confessing his offence, he was ordained to make his publick repentance in the Kirk of *Tranent*, before he be released. Another Minister was to be tried, and censured, for baptizing privately, and celebrating the Communion upon *Pasch-day*, at the Assembly holden in *October* 1580. Which acts and censures make manifest, that our Kirk abhorred whatsoever fostered the opinion of the necessitie of Baptisme, and giving of the Sacrament, as a *viaticum*.

All which, and many other acts, grounds, and reasons, being at length agitated, and with mature deliberation pondered, and libertie granted to every man to speak his minde; what could be said further, for the full satisfaction of all men.

The matter was put to voicing, in these words: *Whether the five articles of* Perth, *by the confession of Faith, as it was meaned and professed in the year* 1580. 1581. 1590. 1591. *ought to be removed out of this Kirk*: The whole Assembly all in one consent, one onely excepted, did voice that the five articles above-specified were abjured by this Kirk, in that Confession; and so ought to be removed out of it: And therefore prohibiteth and dischargeth all disputing for them, or observing of them, or any of them, in all time comming, and ordains Presbyteries to proceed with the censures of the Kirk against all transgressours.

Act. Sess. 21. December. 17. 1638.

Concerning *Kirk Sessions*, *provinciall* and *nationall Assemblies*, the generall Assembly considering the great defection of this Kirk, and decay of Religion, by the usurpation of the Prelates, and their suppressing of ordinarie judicatories of the Kirk, and clearly perceiving the benefit which will redound to the Religion by the restitution of the said judicatorie

dicatories; remembring alſo that they ſtand obliged by their ſolemne oath, and covenant with God, to return to the doctrine and diſcipline of this Kirk; as it was profeſt 1580. 1581. 1590. 1591. which in the book of Policie, regiſtrat in the books of the Aſſembly 1581. and ordained to bee ſubſcribed, 1590. 1591. is particularly expreſt both touching the conſtitution of the Aſſemblies, of their members, Miniſters, and Elders, and touching the number, power and authority of theſe members, in all matters eccleſiaſtic all.

The Aſſembly findeth it neceſſar to reſtore, and by theſe preſents reſtoreth all theſe Aſſemblies unto their full integritie in their members, priviledges, liberties, powers, and juriſdictions; as they were conſtitute by the foreſaid book of Policie.

Act. Seſſ. 23. 24. *December* 17. 18.

ANent the report of the Committie, appointed for conſidering what conſtitutions were to be revived, or made of new, they proponed the overtures following: which were read and allowed by the whole Aſſembly, or by them referred to the conſideration of the ſeverall Presbyteries.

Anent *Presbyteries* which have been erected ſince the year 1586. It ſeemeth needfull, that they bee ratified by an act of this generall Aſſembly, and that other presbyteries ſhall be erected, where they ſhall be found needfull, and eſpecially now in the Synod of *Liſmore*, according to the particular note given there-anent.

The Aſſembly ratifieth theſe Presbyteries ſince 1486. and erecteth thoſe in *Liſmore*, conforme to the note regiſtrat in the books of Aſſembly.

Anent the keeping of *Presbyteriall meetings*; It is thought fit that they be weekly, both in Sommer and Winter, except in places farre diſtant, who during the winter ſeaſon, (that is between the firſt of *October* and the firſt of *April*) ſhall be diſpenſed with for meeting once in the fourteen dayes, and that all abſents be cenſured, eſpecially thoſe who ſhould *exerciſe* and *adde*, according to the act of Aſſembly 1582. at S^t. *Andrews*, *April.* 24. *Seſſ.* 12. and that ſome controverted head of doctrine bee handled in the presbyterie publickly, and diſputed among the brethren, every firſt Presbyterie of the Moneth, according to the act of Aſſembly holden at *Dundie*, 1598. Seſſ. 12.

The Aſſembly alloweth this Article.

Anent the *viſitation of particular Kirks* within Presbyteries; It is thought expedient that it be once every year, wherein a care is to be had, among other things neceſſary, that it bee tryed, how domeſtick exerciſes of Religion be exerciſed in particular families, and to ſee what means there is in every Pariſh in Landward, for catechiſing and inſtructing the youth.

The Aſſembly alloweth this Article.

Anent

IIII. Anent the *visitation of Kirks, Schooles, and Colledges*: It is thought meet that the act of Assembly holden at *Edinburgh* the 25. of *Iunie* 1565. Sess. 2. be put in execution: that the Minister of the parochin, the Principall, *Regents*, and *professours* within Colledges, and *Masters*, and Doctors of Schooles, be tryed concerning the soundnesse of their judgement in matters of Religion, their abilitie, for discharge of their calling, and the honesty of their conversation: as the act of Assembly at *Edinburgh*, *Iuni* 21. 1567. Sess. 3. And the act of Assembly holden at *Montrose*. 1595. Sess. 9. do import: and this visitation of Colledges to be by way of commission from the generall Assembly.

The generall Assembly alloweth this Article.

V. Anent *none-residents*: It is thought necessary, that every Minister be oblished to reside in his own Parochin at his ordinarie Manse, for the better attending of the duties of his calling, conforme to the Acts of Assemblies, viz. act of Assembly at *Edinburgh March* 24. 1595. Sess. 7. as also act at *Edinburgh December* 25. 1563. Sess. 5. and Assembly at *Edinburgh December* 25. 1565 Sess. 4. Assemble at *Edinburgh March* 6. 1572. Sess. 3.

VI. *The Assembly alloweth this Article.*

Anent the *planting of Schools in Landward*, the want whereof doth greatly prejudge the grouth of the Gospel, and procure the decay of Religion: The Assembly giveth direction to severall Presbyteries for the setling of Schooles in every Landward parochin, & providing of men able for the charge of teaching of the youth, publick reading and precenting of the Psalme, and catechising of the common people, and that means be provided for their intertainment, in the most covenient manner that may be had, according to the abilitie of the Parochin.

The Assembly alloweth, and referreth the particular course unto the severall Presbyteries.

VII. Anent the late *admission of Ministers by Presbyteries*, and the *choise of Moderatours*, according to the ancient power of the said Presbyteries: The Assembly declareth they had power to doe the same, and ratifieth that what hath been done of late of that kinde upon warrantable grounds, that hereafter it be not called in question.

The Assembly alloweth this Article.

VIII. Anent the *competencie of Presbyteries and parochins*, that some proportion may be keeped, both anent the number and distance of place: It would seem expedient that this generall Assembly should appoint a Commission for every Shyre, where there is such necessitie, that the particular Parochins and Presbyteries within the bounds bee duely considered, and overtures be these of the same commission given in to the provinciall Synods, and by them to the generall Assembly, that there they may be advised, and ratified.

The Assembly referreth this to the care of the particular presbyteries.

XIX. Anent the *entrie and conversation of Ministers*: It is expedient that the act of Assembly holden at *Edinburgh*, *March* 24. 1595. Sess. 7. be ratified, and put in execution in every Presbyterie, and to that end, that they get a coppie thereof, under the Clerks hand, whereof the tennour followeth.

Act

Act Sess. 7. *March* 26. of the Assembly at Edinburgh 1596.

" *Concerning the* defections in the ministerie, *the same being at* " *length read out, reasoned, and considered; The brethren con-* " *cluded the same, agreeing there-with: and in respect that by Gods* " *grace, they intend reformation, and to see the Kirk and ministery purge-* " *ed; to the effect the worke may have better successe, they think it ne-* " *cessar that this Assembly be humbled, for wanting such care as became* " *in such points, as is set down, and some zealous and godly brethren in* " *doctrine, lay them out for their better humiliation; and that they make* " *solemne promise before the Majestie of God; and make new covenant with* " *him for a more carefull and reverent discharge of their ministerie. To* " *the which effect was chosen* Mr. Iohn Davidson; *and Twesday next at* " *nine houres in the morning appointed, in the new Kirk, for that effect:* " *whereunto none is to resort, but the ministrie: the forme to bee advised* " *the morne in privie conference.*

The tennour of the advise of the brethren, depute for penning the enormities and corruptions in the ministerie, and remead thereof, allowed by the generall Assembly here conveened. 1596.

Corruptions in the office.

" *Forasmuch as by the too sudden admission and light tryall of per-* " *sons to the ministrie, It cometh to passe that many scandals* " *fall out in the persons of ministers: it would bee ordained in* " *time comming, that more diligent inquisition and triall be used of all* " *such persons, as shall enter into the ministrie.*

" *As specially these points. That the intrant shall be posed upon his con-* " *science, before the great God, (and that in most grave manner) what* " *moveth him to accept the office and charge of the ministrie upon him.*

" *That it be inquired, if any by solistation, or moyen, directly or in-* " *directly, preasse to enter in the said office: And, if it bee found, that* " *the solister be repelled; and that the Presbyterie repell all such of their* " *number from voting in the election or admission as shall bee found* " *moyeners for the soliciter, and posed upon their conscience to declare the* " *truth to that effect.*

" *Thirdly, because by presentations, many forcibly are thrust into* " *the ministery, and upon Congregations, that utter thereafter that* " *they were not called by God: It would bee provided that none seeke* " *presentations to Benefices without advice of the Presbyterie within* " *the bounds whereof the benefice is, and if any doe in the contrarie, they to* " *be repelled as* rei ambitus.

" *That the tryall of persons to be admitted to the ministrie hereafter, con-* " *sist not only in their learning and abilitie to preach, but also in conscience,* " *and feeling, and spirituall wisedome, and namely in the knowledge of the* " *bounds of their calling, in doctrine, discipline, and wisedome, to be-* " *have himselfe accordingly with the diverse ranks of persons within his* " *flock, as namely with Atheists, rebellious, weak consciences, and such*

» other, wherein the paſtorall charge is moſt kythed; and that he be meet to
» ſtop the mouthes of the adverſaries: and ſuch as are not qualified in theſe
» points to be delayed to further tryall; and while they be found qualified.
» And becauſe men may be found meet for ſome places, who are not meet
» for other, it would be conſidered, that the principall places of the Realme
» be provided by men of moſt worthie gifts, wiſedome and experience, and
» that none take the charge of greater number of people nor they are able to
» diſcharge: And the Aſſembly to take order herewith, and the act of
» the provinciall of Louthian, made at Linlithgow, to be urged.

» That ſuch as ſhall bee found not given to their book and ſtudie of
» Scriptures, not carefull to have books, not given to ſanctification and
» prayer, that ſtudie not to bee powerfull and ſpirituall, not applying the
» doctrine to corruptions, which is the paſtorall gift, obſcure and too
» ſcholaſtick before the people, cold, and wanting of ſpirituall zeal, neg-
» ligent in viſiting of the ſick, and caring for the poore; or indiſcreet
» in chooſing of parts of the word not meeteſt for the flock, flatterers and
» diſſembling at publick ſins, and ſpecially of great perſonages in their
» congregations, for flattery, or for fear, that all ſuch perſons bee cen-
» ſured, according to the degree of their faults, and continuing therein,
» bee deprived.

» That ſuch as be ſlothfull in the miniſtration of the Sacraments and ir-
» reverent, as prophaners receiving the cleane and uncleane, ignorants and
» ſenſeleſſe prophane, and making no conſcience of their profeſſion in
» their calling and families, omitting due tryall or uſing none, or light
» tryall, having reſpect in their tryall to perſons, wherein there is ma-
» nifeſt corruption; that all ſuch bee ſharply rebuked, and if they con-
» tinue therein, that they be depoſed.

» And if any bee found a ſeller of the Sacraments, that hee bee depo-
» ſed ſimpliciter: And ſuch as collude with ſlanderous perſons in diſ-
» penſing and over-ſeeing them for money, incurre the like puniſhment.
» That every Miniſter be charged to have a Seſſion eſtabliſhed of the meet-
» teſt men in his Congregation, & that Diſcipline ſtrike not only upon groſſe
» ſins, as whoredome, bloodſhed, &c. but upon ſins repugnant to the
» word of God, as blaſphemie of God, banning, profaning of the Sab-
» bath, diſobedient to parents, idle, unruly ones without calling, drunke
» ards, and ſuch like deboſhed men, as make not conſcience of their life
» and ruling of their families, and ſpecially of education of their chil-
» dren, lying, ſlandering, and backbiting and breaking of promiſes:
» and this to be an univerſall order throughout the Realme, &c. and ſuch
» like as are negligent herein, and continue therein after admonition, be
» depoſed.

» That none falling in publick ſlanders, be received in the fellowſhip
» of the Kirk, except his Miniſter have ſome appearance and warrand in
» conſcience, that hee hath both a feeling of ſin, and apprehenſion of
» mercie, and for this effect, that the Miniſter travell with him, by
» doctrine, and private inſtruction, to bring him here to, and ſpecially
» in the doctrine of repentance, which being neglected, the publick place
» of repentance is turned in a mockings

" Dilapidation of benefices, dimitting of them for favour, or money, that
" they become laick patronages, without advise of the Kirk, and such like
" interchanging of benefices, by transaction and transporting of them-
" selves by that occasion, without the knowledge of the Kirk, precisely to
" be punished: Such like, that setting of takes without the consent of the
" Assembly, be punished according to the acts: and that the dimitters
" in favours for money, or otherwise to the effect above-written, bee pu-
" nished as the dilapidators.

Corruptions in their persons and lives.

" THat such as are light and wanton in their behaviour, as in
" gorgeous and light apparell, in speech, in using light and pro-
" phane companie, unlawfull gaming, as dancing, carding, dycing
" and such like, not beseeming the gravitie of a Pastour, bee sharply and
" gravely reproved by the Presbyterie, according to the degree thereof:
" and continuing therein after due admonition, that hee bee deprived, as
" slanderous to the Gospel.

" That Ministers being found swearers, or banners, prophaners of the
" Sabbath, drunkards, fighters, guiltie of all these, or any of them, be de-
" posed simpliciter; and such like, lyars, detracters, flatterers, breakers
" of promise, brawlers, and quarrellers, after admonition continuing
" therein, incurre the same punishment.

" That Ministers given to unlawfull and incompetent trades and occu-
" pations for filthie gain, as holding of ostleries, taking of ocker beside
" conscience and good lawes, and bearing worldly offices in noble-men
" and gentle-mens houses, merchandise, and such like, buying of victuals,
" and keeping to the dearth, and all such worldly occupations, as may di-
" stract them from their charge, and may be slanderous to the pastor all cal-
" ling, be admonished and brought to the acknowledging of their sins, and
" if they continue therein, to be deposed.

" That Ministers not resident at their flocks, be deposed according to the
" acts of the generall Assembly, and laws of the Realme: otherwise the
" burthen to be laid on the Presbyteries, and they to be censured therefore.

" That the Assembly command all their members, that none of them
" await on the court and affairs thereof, without the advice and allowance
" of their Presbyterie. Item, that they intend no action civill without the
" said advice, except in small maters: and for remeding of the necessi-
" tie, that some Ministers hath to enter in plea of law, that remedie bee
" craved, that short processe bee devised, to bee used in Ministers
" actions.

" That Ministers take speciall care in using godly exercises in their fa-
" milies, in teaching of their wives, children, and servants, in using ordina-
" rie prayers, and reading of Scriptures, in removing of offensive persons
" out of their families, and such like other points of godly conversation,
" and good example, and that they at the visitation of their Kirks, try the
" Ministers families in these points foresaid, and such as are found neg-
" ligent in these points, after due admonition, shall be adjudged unmeet to
" govern the house of God, according to the rule of the Apostle.

That Miniſters in all companies ſtrive to bee ſpirituall and profitable, and to talke of things pertaining to godlineſſe, as namely of ſuch as may ſtrengthen us in Chriſt, inſtruct us in our calling, of the means how to have Chriſts Kingdome better eſtabliſhed in our Congregations, and to know how the Goſpel flouriſheth in our flocks, and ſuch like others the hinderances, and theremeeds that we finde, &c. wherein there is manifold corruptions, both in our companying with our ſelves, and with others: and that the contraveeners thereof be tryed, and ſharply be rebuked.

That no Miniſter be found to countenance, procure, or aſſiſt a publick offender challenged by his own Miniſter, for his publick offence, or to bear with him, as though his Miniſter were too ſevere upon him, under the pain of admonition and rebuking.

Anent generall Aſſemblies.

TO urge the keeping of the Acts anent the keeping of the Aſſembly; that it may have the own reverence and majeſtie.

The Aſſembly having heard the whole act read, moſt unanimouſly alloweth and approveth this article.

X. Anent the defraying of the expenſes of the Commiſſioners to the generall Aſſembly, referreth and recommendeth the ſame unto the particular Presbyteries, and eſpecially to the ruling Elders therein, that they may take ſuch courſes whereby, according to reaſon and former acts of Aſſemblies, the Commiſſioners expenſes to this Aſſembly, and to the ſubſequent, may be born by the particular parochins of every Presbyterie, who ſendeth them in their name, and to their behalf, and for that effect, that all ſort of perſons able in land or moneys proportionally, may bear a part of the burthen, as they reap the benefit of their paines.

The Aſſembly referreth this unto the care of the particular Presbyteries.

XI. Anent the *repreſsing of poperie and ſuperſtition*; It ſeemeth expedient that the number and names of all the *Papiſts* in this Kingdome be taken up at this Aſſembly, if it may be conveniently done, and if not, that it be remitted to the next provinciall Aſſemblies, that it may appear what grouth poperie hath had, and now hath through this kingdome, what *popiſh prieſts*, & *Ieſuit* there in the land; and that all perſons of whatſoever ſtate and condition, be obliged to ſwear and ſubſcribe the confeſſion of Faith, as it is now condeſcended upon by this generall Aſſembly, that they frequent the word and Sacraments in the ordinar dyets and places, otherwiſe to proceed againſt them with the cenſures of the Kirk, and that children be not ſent out of the countrey without licence of the Presbyteries or provinciall Synods of the bounds where they dwell.

The Aſſembly referreth this Article to the ſeverall Presbyteries.

XII. Anent order to be taken that the *Lords Supper be more frequently adminiſtrat* both in burgh and landward, then it hath been in theſe years by-gone: It were expedient that the act at *Edinburgh December* 25. 1562. Seſſ 5. bee renewed, and ſome courſe bee taken for furniſhing of the elements, where the Miniſter of the Pariſh hath allowance only for once in the year.

The

The Assembly referreth this to the consideration of Presbyteries, and declareth that the charges be rather payed out of that dayes collection, then that the Congregation want the more frequent use of the Sacrament.

Anent the entrie of Ministers to the ministrie: The Assembly thinks expedient that the act holden at S^t. *Andrews April* 24. 1582. Sess. 7. Touching the age of *twenty five years* be renewed, and none to be admitted before that time, except such as for rare and singular qualities, shall be judged by the generall or provinciall Assembly to be meet and worthie thereof. XIII.

The Assembly approveth this Article.

Anent *mercats on Monday and Saturday* within Burghs, causing intollerable profanation of the Lords Day, by carying of loads, bearing of burthens; and other work of that kinde: It were expedient for the redresse thereof, that the care for restraining of this abuse be recommended by the Assembly unto the severall Burghs, and they to bee earnestly entreated to finde out some way for the repressing of this evil, and changing of the day; and to report their diligence there-anent to the next generall Assembly. XIIII.

The Assembly referreth this Article to the consideration of the Burrows. XV.

Anent *the profaination of the Sabbath-day in Landward*, especially for want of divine service in the afternoone: The Assembly ordaineth the act of Assembly holden at *Dundie*, *July* 12. 1580. Sess. 10. for keeping both dyets, to be put in execution.

The Assembly alloweth this Article.

Anent *frequenting with excommunicat persons:* The Assembly ordaineth that the act at *Edinburgh March* 5. 1569. Sess. 10. to wit, *That these who will not forbear the companie of excommunicat persons after due admonition, be excommunicat themselves, except they forbear,* to be put in execution. XVI.

The Assembly alloweth this Article.

Whereas the *confession of the Faith* of this Kirk, concerning both Doctrine and Discipline, so often called in question by the corrupt judgement and tyrannous authoritie of the pretended Prelats, is now clearly explained, and by this whole Kirk represented by this generall Assembly concluded, ordained also to bee subscribed by all sorts of persons within the said Kirk and Kingdome: The Assembly constitutes, and ordaines, that from henceforth no sort of person, of whatsoever quality and degree, be permitted to speak, or write against the said Confession, this Assembly, or any act of this Assembly, and that under the paine of incurring the censures of this Kirk. XVII.

The Assembly alloweth this Article.

Anent *voicing in Kirk Sessions*: It is thought expedient that no Minister moderating his Session, shall usurpe a *negative* voice over the members of his Session, and where there is two or moe Ministers in one Congregation, that they have equall power in voicing, that one of them hinder not the reasoning or voicing of any thing, whereunto the other Minister or Ministers, with a great part of the Session inclineth, being agreeable to the acts and practise of the Kirk, and that one XVIII.

of the

of the Ministers without advice of his colleague appoint not dyets of Communion nor examination, neither hinder his colleague from catechising and using other religious exercises as oft as he pleaseth.

The Assembly referreth this Article to the care of the Presbyteries.

XIX. Since the *office of a Dioceſane*, or lordly Bishop, is alluterly abjured, and removed out of this Kirk: It is thought fit that all titles of dignitie, savouring more of poperie than of Christian libertie, as *Chapters* with their elections and consecrations, *Abbots, Pryors, Deans, Arch-deacons, preaching-deacons, Chanters, ſubchanters*, and others having the like title, flowing from the Pope and canon law only, as testifieth the second book of Discipline, bee also banished out of this reformed Kirk, and not to bee usurped or used hereafter under ecclesiasticall censure.

The Assembly alloweth this Article.

XX. Anent the *preſenting either of Paſtours or Readers, and Schoolmaſters*, to particular Congregations, that there be a respect had to the Congregation, and that no person be intruded in any office of the Kirke, contrare to the will of the congregation to which they are appointed.

The Aſſembly alloweth this Article.

XXI. Anent *Mariage without proclamation of bans*, which being in use these years by-gone hath produced many dangerous effects: The Assembly would discharge the same, conforme to the former acts, except the Presbyterie in some necessarie exigents dispense therewith.

The Aſſembly alloweth this Article.

XXII. Anent *the buriall in Kirks*, the Assembly would be pleased to consider anent the act of Assembly at *Edinburgh* 1588. Sess. 5. if it shall be put in execution, and to discharge funerall sermons, as savouring of superstition.

The Aſſembly referreth the former part of this article anent buriall in Kirks to the care of Presbyteries, and diſchargeth all funerall ſermons.

XXIII. Anent *the tryall of Expectants* before their entrie to the ministrie, it being notour that they have subscribed the confession of Faith now declared in this Assembly, & that they have exercised often privatly, and publickly, with approbation of the Presbyterie, they shall first adde and make the exercise publickly, and make a discourse of some common head in *Latine*, and give propositions thereupon for dispute, and thereafter be questioned by the Presbyterie upon questions of controversie, and chronologie, anent particular texts of Scripture how they may be interpreted according to the analogie of Faith, and reconciled, and that they be examined upon their skill of the *Greek* and *Hebrew*, and that they bring a testificat of their life and conversation from either Colledge or Presbyterie, where they reside.

The Aſſembly alloweth this Artiele.

XXIIII. The Assembly having considered the order of the provinciall Assemblies, given in by the most ancient of the Ministrie within every Province, as the ancient plateforme thereof, ordained the same to be observed conforme to the roll, registrat in the books of Assembly, whereof the tennour followeth

The

The order of the Provinciall Assemblies in Scotland, according to the Presbyteries therein contained.

1. *The provinciall Assembly of* Mers *and* Tividaill.

The Presbyteries of	*Dunce.* *Chirnside.* *Kelso.* *Erstiltoun.* *Iedburgh.* *Melros.*	The bounds.	*Mers.* *Tividaill.* *The Forrest.* *Lauderdaill.*	To meet the first time at *Iedburgh*, the third Twesday of *April.*

2. *The provinciall of* Louthian.

The Presbyteries of	*Dumbar.* *Hadingtoun.* *Dalkeeth.* *Edinburgh.* *Peebles.* *Linlithgow.*	The bounds.	east *Louthian.* west *Louthian,* *Tweeddaill.*	To meet the first time at *Edinburgh* the third Twesday of *April.*

3. *The provinciall of* Perth.

The Presbyteries of	*Perth.* *Dunkell.* *Aughterardor.* *Striviling.* *Dumblane.*	The bounds.	The Shyredome of *Perth* and of *Striviling* Shyre.	To meet the first time at *Perth*, the second Twesday of *April.*

4. *The province of Drumfrees.*

The Presbyteries of	*Dumfrees.* *Penpont.* *Lochmabane.* *Middilbee.*	The bounds.	*Niddisdaill.* *Annandaill.* *Ewsdaill.* *Eskdaill.* *Wachopdaill* *& a part of Galloway.*	To meet the first time at *Drumfrees*, the second Twesday of *April.*

5. *The provinciall of* Galloway.

The Presbyteries of	*Wigtoun.* *Kirkubright.* *Stranraver.*	The bounds.	The Shyredome of *Wigtoun*, and *Stewartie of Kirkubright.*	To meet the first time at *Wigtoun*, third Twesday of *April.*

The provinciall Synod of Aire *or* Irwing.

The Presbyteries of	*Aire.* *Irwing.*	The bounds.	The Shyredome of *Aire.*	To meet with the provinciall Synod of *Glasgow pro hac vice*, the first Twesday of *April.*

6. *The provinciall Synod of* Glasgow.

The Presbyteries of	*Paisley.* *Dumbartane.* *Glasgow.* *Hammiltonn.* *Lanerik.*	The bounds.	The Shyr. of *Lennox*, the Barrony of *Renfrow*, the Shy. of *Clydsdail* over and	To meet with the provinciall Synod of *Aire* and *Irwing* at *Glasgow*, *pro hac vice.*

of the Miniſters without advice of his colleague appoint not dyets of Communion nor examination, neither hinder his colleague from catechiſing and uſing other religious exerciſes as oft as he pleaſeth.

The Aſſembly referreth this Article to the care of the Presbyteries.

XIX. Since the *office of a Dioceſane*, or lordly Biſhop, is alluterly abjured, and removed out of this Kirk: It is thought fit that all titles of dignitie, ſavouring more of poperie than of Chriſtian libertie, as *Chapters* with their elections and conſecrations, *Abbots, Pryors, Deans, Arch-deacons, preaching-deacons, Chanters, ſubchanters*, and others having the like title, flowing from the Pope and canon law only, as teſtifieth the ſecond book of Diſcipline, bee alſo baniſhed out of this reformed Kirk, and not to bee uſurped or uſed hereafter under eccleſiaſticall cenſure.

The Aſſembly alloweth this Article.

XX. Anent the *preſenting either of Paſtours or Readers, and Schoolmaſters*, to particular Congregations, that there be a reſpect had to the Congregation, and that no perſon be intruded in any office of the Kirke, contrare to the will of the congregation to which they are appointed.

The Aſſembly alloweth this Article.

XXI. Anent *Mariage without proclamation of bans*, which being in uſe theſe years by-gone hath produced many dangerous effects: The Aſſembly would diſcharge the ſame, conforme to the former acts, except the Presbyterie in ſome neceſſarie exigents diſpenſe therewith.

The Aſſembly alloweth this Article.

XXII. Anent *the buriall in Kirks*, the Aſſembly would be pleaſed to conſider anent the act of Aſſembly at *Edinburgh* 1588. Seſſ. 5. if it ſhall be put in execution, and to diſcharge funerall ſermons, as ſavouring of ſuperſtition.

The Aſſembly referreth the former part of this article anent buriall in Kirks to the care of Presbyteries, and diſchargeth all funerall ſermons.

XXIII. Anent *the tryall of Expectants* before their entrie to the miniſtrie, it being notour that they have ſubſcribed the confeſſion of Faith now declared in this Aſſembly, & that they have exerciſed often privatly, and publickly, with approbation of the Presbyterie, they ſhall firſt adde and make the exerciſe publickly, and make a diſcourſe of ſome common head in *Latine*, and give propoſitions thereupon for diſpute, and thereafter be queſtioned by the Presbyterie upon queſtions of controverſie, and chronologie, anent particular texts of Scripture how they may be interpreted according to the analogie of Faith, and reconciled, and that they be examined upon their skill of the *Greek* and *Hebrew*, and that they bring a teſtificat of their life and converſation from either Colledge or Presbyterie, where they reſide.

The Aſſembly alloweth this Article.

XXIIII. The Aſſembly having conſidered the order of the provinciall Aſſemblies, given in by the moſt ancient of the Miniſtrie within every Province, as the ancient plateforme thereof, ordained the ſame to be obſerved conforme to the roll, regiſtrat in the books of Aſſembly, whereof the tennour followeth

The

The order of the Provinciall Assemblies in Scotland, according to the Presbyteries therein contained.

1. *The provinciall Assembly of* Mers *and* Tividaill.

The Presbyteries of	*Dunce.* *Chirnside.* *Kelso.* *Erstiltoun.* *Iedburgh.* *Melros.*	The bounds.	*Mers.* *Tividaill.* *The Forrest.* *Lauderdaill.*	To meet the first time at *Iedburgh*, the third Twesday of *April.*

2. *The provinciall of* Louthian.

The Presbyteries	*Dumbar.* *Hadingtoun.*		To meet the

TIGHTLY BOUND.

The Presbyteries			
The Presbyteries of	*Penpont.* *Lochmabane.* *Middilbee.*	The bounds.	*Ewsdaill.* *Eskdaill.* *Wachopdaill* *& a part of Galloway.*	time at *Dromfrees*, the second Twesday of *April.*

5. *The provinciall of* Galloway.

Presbyteries of	*Wigtoun.* *Kirkubright.* *Stranraver.*	The bounds.	The Shyrefdome of *Wigtoun*, and *Stewartie of Kirkubright.*	To meet the first time at *Wigtoun*, third Twesday of *April.*

The provinciall Synod of Aire *or* Irwing.

Presbyteries of	*Aire.* *Irwing.*	The bounds.	The Shyrefdome of *Aire.*	To meet with the provinciall Synod of *Glasgow pro hac vice*, the first Twesday of *April.*

6. *The provinciall Synod of* Glasgow.

Presbyteries of	*Paisley.* *Dumbartane.* *Glasgow.* *Hammiltonn.* *Lanerik.*	The bounds.	The Shyr. of *Lennox*, the Barrony of *Renfrow*, the Shy. of *Clydsdail* over and	To meet with the provinciall Synod of *Aire* and *Irwing* at *Glasgow*, *pro hac vice.*

7. *The provinciall Synod of* Argyl, *desired to bee erected in severall Presbyteries according to the note given in.*

The Presbyteries of	The bounds.	To meet the first time at
Dunnune. Kinloch. Inneraray. Kilmoir. Skye.	The Shyrifdomes of *Argil* & *Boot*, with a part of *Lochaber.*	*Inneraray* the 4. Twesday of *April.*

8. *The provinciall Synod of* Eife.

The Presbyteries of	The bounds.	To meet the
S^t. *Andrews. Cowper. Kirkadie. Dunfermling.*	The Shyrefdome of *Fife.*	first time at *Cowper* in *Fife* the first Twesday of *April.*

9. *The provinciall Synod of* Angus *and* Merns.

The Presbyteries of	The bounds.	To meet the
Meegle. Dundie. Arbroth. Forfair. Brechen. Merns.	The Shyrefdomes of *Forfair* and *Merns.*	first time at *Dundie* the third Twesday of *April.*

10. *The provinciall Synod of Aberdene.*

The Presbyteries of	The bounds.	To meet the first
Aberdene. Kincairdin. All-foord. Garioch. Ellan. Deer. Turreffe. Fordyce.	The Shyrefdomes of *Aberdene* and *Bamfe.*	time at *new Aberdene* the 3. Twesday of *April.*

11. *The provinciall* Synod of *Murray.*

The Presbyteries of	The bounds.	To meet the first
Innernes. Forreſſe. Elgin. Strabogie. Aber nethie. Aber lower.	The Shyrefdomes of *Innernes* in part, *Nairn* in part, *Murray, Bamf* in part, *Aberden* in part.	time at *Forreſſe*, the laſt Twesday of *April.*

12. *The provinciall Synod of* Roſſe.

The Presbyteries of	The bounds.	To meet the first
Chanrie. Taine. Dingwall.	The Shyrefdome of *Innernes* in part.	time at *Chanrie* the 2. Twesday of *April.*

13. *The provinciall Synod of* Cathnes.

The Presbyteries of	The bounds.	To meet the first
Dornoch. Weeke or *Thurſo.*	*Cathnes. Sutherland.*	time at *Dornoch* the third Twesday of *April.*

14. *The privinciall Synod of* Orkney *and* Zetland.

The Presbyteries of	The bounds	To meet the first
Kirkwall. Scalloway.	The Shrefdome of *Orkney* and Zetland	time at *Kirkwall* the second Twesday of *April.*

15. *The Provinciall Synod of the isles.*

ALL the Kirks of the North-west isles, viz. *Sky*, *Lewes*, and the rest of the isles, which were lyable to the Diocie of the Isles, except the South-west isles which are joyned to the Presbyteries of *Argyll*, To meet the first time at *Skye* the second Twesday of May.

That the Minister of the place where the Synodall Assembly meets shall preach the first day of their meeting, and give timouse advertisement to the rest of the Presbyteries.

It is remembred that of old the Synodall Assemblies that were nearest to others, had correspondence among themselves, by sending one or two Commissioners mutually from one to another, which course is thought fit to be keeped in time comming: viz. The Provincials of *Louthian*, and *Mers*, &c. The Provincials of *Drumfreis*, *Galloway*, *Glasgow*, and *Argyll*, The Provincials of *Perth*, *Fyfe*, and *Angus*, &c. The Provincials of *Aberdein* and *Murray*. The Provincials of *Rosse*, *Caithnes*, and *Orknay*. The Commissioners for correspondence amongst the Synodals to be a Minister and a ruling Elder.

The Assembly recommendeth to the severall Presbyteries the execution of the old acts of Assemblies, against the break of the Sabbath-day, by the going of Milles, Salt-pans, Salmond-fishing, or any such-like labour, and to this end revives and renews the act of the Assembly, holden at *Halyrudehouse* 1602. Sess. 5. whereof the tennor followeth.

„ *The Assemblie considering that the conventions of the people, specially*
„ *on the Sabbath-day, are verie rare in manie places, by distraction of la-*
„ *bour, not only in Harvest and Seed-time, but also every Sabbath by fish-*
„ *ing both of whyte fish and Salmond fishing, and in going of Milles;*
„ *Therefore the Assemblie, discharges and inhibiteth, all such labour of*
„ *fishing as-well whyte fish as Salmond fish, and going of Miles of all*
„ *sorts upon the Sabbath-day, under the paine of incurring the censures of*
„ *the Kirk. And ordains the Commissioners of this Assemblie to meane*
„ *the same to his Majestie, and to desire that a pecuniall paine may be in-*
„ *joyned upon the contraveiners of this present act.*

Act. Sess. 24. December 18. 1638.

THE Assembly considering the great necessity of purging this land from bygone corruptions, and of preserving her from the like in time coming, ordaineth the Presbyteries to proceed with the censures of the Kirk, to excommunication, against those Ministers who being deposed by this Assembly acquiesces not to their sentences, but exercise some part of their Ministeriall function, refuseth themselves, and with-draw others from the obedience of the acts of the Assembly.

Act. Sess. 25. December 19. 1638.

Against the civill places and power of Kirk-men.

THe generall Assembly, remembering that among other clauses of the application of the confession of Faith to the present time, which was subscribed in Februarie 1638. The clause touching the civill places and power of Kirk-men, was referred unto the tryall of this Assembly; entered into a serious search thereof, especially of their sitting on the bench, as Iustices of peace, their sitting in Session and Councell, their ryding and voting in Parlament: and considering how this vote in Parlament, was not at first sought nor requyred by this Kirke, or worthy men of the Ministerie, but being obtruded upon them, was disallowed, for such reasons as could not well be answered (as appeareth by the conference, holden at *Halyrude-house* 1599. which with the reasons therein contained was read in the face of the Assembly) and by plurality of voices not being able to resist that enforced favour, they foreseeing the dangerous consequences thereof, in the Assembly at *Montrose* did limitate the same by many necessare cautions: considering also the Protestation made in the Parlament 1606. by Commissioners from Presbyteries, and Provinciall Assemblies, against this restitution of Bishops to vote in Parlament, and against all civill offices in the persons of Pastors, separate unto the Gospell, as incompatible with their spirituall function; with the manifold reasons of that Protestation from the word of God, ancient Councels, ancient and moderne Divines, from the doctrine, discipline, and confession of Faith of the Kirk of *Scotland*, which are extant in print, and were read in the audience of the Assembly: Considering also from their own experience the bad fruits and great evils, which have been the inseparable consequents of these offices, and that power in the persons of Pastors separate to the Gospel, to the great prejudice of the freedome and libertie of the Kirk, the jurisdiction of her Assemblies, and the powerfull fruits of their spirituall Ministerie; The Assembly most unanimously in one voice, with the hesitation of two allanerly, declared, that as on the one part the Kirk and the Ministers thereof are oblidged to give their advise and good counsell in matters concerning the Kirk or the conscience of any whatsomever, to his Majestie, to the Parlament to the Councell, or to any member thereof, for their resolutions from the word of God, So on the other part, that it is both inexpedient, and unlawfull in this Kirk, for Pastors separate unto the Gospell to brook civil places, and offices, as to be Iustices of peace; sit and deterne in Councell, Session, or Exchecker; to ryde or vote in Parlament, to be Iudges or Assessors in any civill Iudicatorie: and therefore rescinds and annuls, all contrarie acts of Assembly, namely of the Assembly holden at *Montrose* 1600. which being prest by authority, did rather for an *interim* tolerat the same, and that limitate by many cautions, for the breach whereof the Prelats have been justly censured, then

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in freedome of judgement allow thereof, and ordaineth the Presbyteries to proceed with the censures of the Kirk, against such as shall transgresse herein in time comming.

Act. Sess. 26. December 20. 1638.

THis Assembly considering the great prejudice which Gods Kirk in this land, hath sustained these years bypast, by the unwarranted printing of lybels, pamphlets, and polemicks, to the disgrace of religion, slander of the Gospell, infecting and disquyeting the mindes of Gods people, and disturbance of the peace of the Kirk, and remembring the former acts, and custome of this Kirk, as of all other Kirks, made for restraining these and the like abuses, and that nothing be printed concerning the Kirk, and religion, except it be allowed by these whom the Kirk intrusts with that charge: The Assembly *unanimously*, by vertue of their Ecclesiasticall authority, dischargeth and inhibiteth all printers within this Kingdome, to print any act of the former Assemblies, any of the acts or proceedings of this Assembly, any confession of Faith, any Protestations, any reasons *pro* or *contra*, anent the present divisions and contraverses of this time, or any other treatise whatsoever which may concerne the Kirk of Scotland, or Gods cause in hand, without warrand subscribed by Mr. *Archbald Johnston*, as Clerk to the Assembly, and Advocate for the Kirk; or to reprint, without his warrand, any acts or treatises foresaids, which he hath caused any other to print, under the paine of Ecclesiasticall censures to be execute against the transgressours by the severall Presbyteries, and incase of their refusall, by the severall Commissiones from this Assembly: whereunto also we are confident, the honourable Iudges of this land will contribute their civill authority: and this to be intimat publickly in pulpit, with the other generall acts of this Assembly.

Act. Sess. 26. December 20. 1638.

THis generall Assembly ordaineth all Presbyteries and Provinciall Assemblies to conveen before them, such as are scandalous and malicious, and will not acknowledge this Assembly, nor acquiesce unto the acts thereof: And to censure them according to their malice and contempt, and acts of this Kirk: and where Presbyteries are refractarie, granteth power unto the severall Commissions to summond them to compear before the next generall Assembly to be holden at *Edinburgh*, the third Wednsday of Iulie, to abide their tryall and censure.

Act. Sess. 26. December 20. 1638.

THE Assembly considering the acts and practise of this Kirke in her purest times, that the Commissioners of every Presbyterie, Burgh, and Universitie, were both ordained to take, and really did take from the Clerk, the whole generall acts of the Assembly, subscribed by the Clerk: whereby they might rule and conforme their Iudicatorie themselves, and all persons within their jurisdictions, unto the obedience thereof: Considering the great prejudices we have lately felt out of ignorance of the acts of Assembly, Considering also the great necessity in this time of reformation, beyond any other ordinarie time, to have an extract thereof: The Assembly ordaineth be this present act, that all Commissioners from Presbyteries, Burghes and Universities, presently get under the Clerks hand an Index of the acts, till the acts themselves be extracted, and thereafter to get the full extract of the whole generall acts, to be insert in their Presbyterie books, whereby all their proceedings may be regulate in time coming. Likeas the Assembly recommendeth unto every Kirk Session, for the preservation of their particular Paroch from the reentrie of the corruptions now discharged, and for their continuance in the Covenant, anent doctrine, worship and discipline now declared, to obtain an extract of these acts: especially if they be printed: Seeing their pryce will no wayes then be considerable: as the benefite both of the particular Parish, and the interest of the whole Kirk, in the preservation thereof from defection is undenyable: seeing Presbyteries are composed of sundry Parochins, and so must be affected, or infected as they are, as Provinciall and generall Assemblies are composed of Presbyteries, and so must be disposed as they are.

Act. Sess. 26. December 20.

In the Assembly at Glasgow *1638. concerning the confession of Faith renewed in Februar, 1638.*

THE Assembly considering that for the purging and preservation of religion, for the Kings Majesties honour, and for the publick peace of the Kirk and Kingdome, the renewing of that nationall Covenant and oath of this Kirk and Kingdome, in Februar 1638. was most necessare, likeas the Lord hath blessed the same from Heaven with a wonderfull successe for the good of religion, that the said Covenant suspendeth the practise of novations already introduced, and the approbation of the corruptions of the present governement of the Kirk, with the civill places, and power of Kirkmen, till they be tryed in a free generall Assembly, and that now after long and serious examination, it is found that by the confession

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of Faith, the five articles of *Perth*, and Episcopall governement are abjured and to be removed out of this Kirk, and the civill places and power of Kirk-men are declared to be unlawfull; The Assembly alloweth and approveth the same in all the heads and articles thereof; And ordaineth that all Ministers, Masters of Universities, Colledges, and Schooles and all others who have not already subscribed the said Confession and Covenant, shall subscribe the same, with these words prefixed to the subscription viz. The article of this Covenant which was at the first subscription referred to the determination of the generall Assembly being now determined at *Glasgow*, in December 1638. and thereby the five articles of *Perth*, and the governement of the Kirk by Bishops, being declared to be abjured and removed, the civill places and power of Kirk-men declared to be unlawfull; We subscrive according to the determination, of the said free and lawfull generall Assembly holden at *Glasgow*: and ordaineth, *ad perpetuam rei memoriam*, the said Covenant with this declaration to be insert in the registers of the assemblies of this Kirk; generall, Provinciall and Presbyteriall.

Act. Sess. 26. December 20. 1638.

Concerning the subscribing the confession of Faithe lately subscribed by his Majesties Commissioner, and urged to be subscribed by others.

SEeing the generall Assembly, to whom belongeth properly the publick and judiciall interpretation of the confession of Faith, hath now after accurat tryall, and mature deliberation clearly found, that the five articles of *Perth*, and the governement of the Kirk by Bishops, are abjured by the confession of Faith, as the same was professed in the year 1580. and was renewed in this instant year 1638. And that the *Marques* of *Hammiltoun* his Majesties Commissioner, hath caused print a Declaration, bearing that his Majesties intention and his own, in causing subscribe the confession of Faith, is no wayes to abjure, but to defend Episcopall governement, and that by the oath and explanation set down in the act of Councel, it neither was nor possibly could be abjured, requyring that none take the said oath, or any other oath in any sense, which may not consist with Episcopall governement: which is directly repugnant to the genuine and true meaning of the foresaid Confession, as it was professed in the year 1580. as is clearly now found and declared by the generall Assembly: Therefore the generall Assembly doth humbly supplicate, that his Majestie may be graciously pleased, to acknowledge and approve the foresaid true interpretation, and meaning of the generall Assembly, by his Royall warrand to his Majesties Commissioner, Councell, and Subjects, to be put in record for that effect, whereof we are confident, after his Majestie,

Majesty, hath received true information from this Kirk, honoured with his Majesties birth and baptisme; which will be a royall testimonie of his Majesties piety and justice, and a powerfull meane to procure the heartie affection and obedience of all his Majesties loyall Subjects: And in the meane time, least any should fall under the danger of a contradictorie oath, and bring the wrath of God upon themselves and the land, for the abuse of his Name and Covenant; The Assembly by their Ecclesiasticall authority, prohibiteth and dischargeth, that no member of this Kirk swear or subscribe the said Confession, so far wreasted to a contrare meaning, under paine of all Ecclesiasticall censure: but that they subscribe the confession of Faith, renewed in Februar, with the Declaration of the Assembly set down in the former act.

Act. Sess. 26. December 20. 1638.

Concerning yearly generall Assemblies.

THE Assembly having considered the reasons lately printed for holding of generall Assemblies, which are taken from the light of nature, the promise of *Iesus Christ*, the practise of the holy Apostles, the doctrine and custome of other reformed Kirks, and the liberty of this nationall Kirk, as it is expressed in the book of Policie, and acknowledged in the act of Parlament 1592, and from recent and present experience, comparing the lamentable prejudices done to religion, through the former want of free and lawfull Assemblies, and the great benefite arysing to the Kirk, from this one free and lawfull Assembly; finde it necessary to declare, and hereby declares, that by Divine, Ecclesiasticall, and Civill warrands, this nationall Kirk hath power and liberty to assemble and conveen in her yearly generall Assemblies, and oftner, *pro re nata*, as occasion and necessity shall require. Appointeth the next generall Assembly to sit at *Edinburgh*, the third Weddinsday of Iulie 1639. And warneth all Presbyteries, Universities, and Burghes, to send their Commissioners for keeping the same. Giving power also to the Presbyterie of *Edinburgh*, *pro re nata*: and upon any urgent and extraordinarie necessity (if any shall happen before the diet appointed in Iulie) to give advertisement to all the Presbyteries, Universities, and Burghes, to send their Commissioners for holding an occasionall Assembly. And if in the meane time it shall please the Kings Majestie to indict a generall Assembly, ordaineth all Presbyteries, Universities, and Burghes, to send their Commissioners for keeping the time and place which shall be appointed by his Majesties Proclamation.

Act.

Act. Sess. 6. December 20.

Ordaining an humble supplication to be sent to the Kings Majestie.

THe Assembly, from the sense of his Majesties pietie and justice, manifested in the publick indiction of their solemne meeting, for the purging and preservation of Religion, in so great an exigent of the extreame danger of both, from their fears arising out of experience of the craftie and malicious dealing of their adversaries in giving sinistrous informations against the most religious and loyall designes and doings of his Majesties good Subjects, and from their earnest desire to have his Majestie truely informed of their intentions and proceedings, from themselves, who know them best, (which they are confident, will be better beleeved, and finde more credite with his Majestie, then any secret surmise or privare suggestion to the contrarie) that they may gaine his Majesties princely approbation and ratification in the ensuing Parliament to their constitutions: Hath thought meet and ordaineth, that an humble supplication be directed to his Majestie, testifying their most heartie thankfulnesse for so royall a favour, as at this time hath refreshed the whole Kirk and Kingdome, stopping the way of calumnie, and humbly supplicating for the approbation, and ratification forsaid: That truth and peace may dwell together in this land, to the increase of his Majesties glorie, and the comfort and quietnesse of his Majesties good people: This the Assembly hath committed, according to the artucles forsaid, to be subscribed by their Moderatour and Clerk, in their name. *The tennour whereof followeth.*

TO THE KINGS MOST EXCELLENT MAIESTIE:

The humble Supplication of the *generall Assembly of the Kirk of* SCOTLAND, conveened at *Glasgow*, *November* 21. 1638.

MOst gracious Soveraigne,

We your Majesties most humble and loyall subjects, The Commissioners from all the parts of this your Majesties ancient and native Kingdome, and members of the nationall Assembly, conveened at *Glasgow*, by your Majesties speciall indiction, considering the great happinesse which ariseth both to Kirk and Common-wealth, by the mutuall embracements of Religion and Iustice, of

ſtice, of truth and peace, when it pleaſeth the Supreame Providence ſo to diſpoſe, that princely power and eccleſiaſticall authoritie joyne in one, do with all thankfulneſſe of heart acknowledge, with our mouthes doe confeſſe, and not only with our pennes, but with all our power are readie to witneſſe unto the world, to your Majeſties never dying glorie, how much the whole Kingdome is affected, and not only refreſhed, but revived, with the comfortable ſenſe of your Majeſties pietie, juſtice, and goodneſſe, in hearing our humble ſupplications, for a full and free generall Aſſembly: and remembring that for the preſent, a more true and reall teſtimonie of our unfained acknowledgement, could not proceed from us your Majeſties duetifull ſubjects, then to walke worthie of ſo royall a favour: It hath been our greateſt care and moſt ſerious endevour, next unto the will of IESUS CHRIST, the great King of his Kirk redeemed by his own bloud, in all our proceedings, joyned with our hearty prayers to GOD, for a bleſſing from heaven upon your Majeſties perſon and government, from the firſt houre of our meeting, to carie our ſelves in ſuch moderation, order and loyaltie, as beſeemed the ſubjects of ſo juſt and gracious a King, lacking nothing ſo much as your Majeſties perſonall preſence: with which had we been honoured and made happie, we were confident to have gained your Majeſties royall approbation to our eccleſiaſtick conſtitutions, and concluſions, knowing that a truly Chriſtian minde and royall heart inclined from above, to religion and piety, will at the firſt diſcern, and diſcerning be deeply poſſeſſed with the love of the raviſhing beautie, and heavenly order of the houſe of God; they both proceeding from the ſame Spirit. But as the joy was unſpeakable, and the hopes lively, which from the fountaines of your Majeſties favour did fill our hearts, ſo were we not a little troubled, when wee did perceive that your Majeſties Commiſſioner, as before our meeting, he did endevour a prelimitation of the Aſſembly in the neceſſarie members thereof, and the matters to bee treated therein, contrarie to the intention of your Majeſties Proclamation indicting a free Aſſembly according to the order of this Kirk, and laws of the Kingdome: So from the firſt beginnings of our ſitting (as if his Lordſhip had come rather to croſſe, nor to countenance our lawfull proceedings, or as we had intended any prejudice to the good of Religion, or to your Majeſties honour (which GOD knoweth was far from our thoughts) did ſuffer nothing, although moſt neceſſarie, moſt ordinarie, and moſt undenyable, to paſſe without ſome cenſure, contradiction, or proteſtation: And after ſome dayes debating of this kinde, farre againſt our expectation, and to our great griefe, did ariſe himſelf, commanded us, who had laboured in every thing to approve our ſelves to GOD, and to his Lordſhip, as repreſenting your Majeſties perſon, to ariſe alſo, and prohibited our further meeting by ſuch a proclamation, as will bee found to have proceeded, rather from an unwillingneſſe that we ſhonld any longer ſit, then from any ground or reaſon, which may endure the tryall

either

either of your Majesties Parliament, or of your own royall Iudgement, unto which if (being conveened by indiction from your Majestie, and sitting now in a constitute Assembly) we should have given place, This Kirk and Kingdome, contrare to your Majesties most laudable intentions manifested in former proclamations, and contrarie to the desires and expectation of all your Majesties good people, had been in an instant precipitate in such a world of confusions, and such depths of miserie, as afterward could not easily have been cured. In this extreamitie we made choise rather of that course which was most agreeable to your Majesties will revealed unto us, after so many fervent Supplications, & did most conduce for the good of Religion, your Majesties honour, and the well of your Majesties Kingdome; then to give way to any sudden motion, tending to the ruine of all: wherein wee are so far from fearing the light, least our deeds should be reproved, that the more accuratly that we are tryed, and the more impartially our using of that power, which GOD Almighty, and your sacred Majestie, his Vice-gerent had put in our hands, for so good and necessarie ends, is examined, we have the greater confidence, of your Majesties allowance and ratihabition: and so much the rather, that being in a manner inhibited to proceed in so good a work, we doubled our diligence, and endevoured more carefully then before, when your Majesties *Commissioner* was present, in every point, falling under our consideration, to walke circumspectly, and without offence, as in the sight of God, and as if your Majesties eyes had been looking upon us; labouring to proceed according to the word of GOD, our confession of Faith, and nationall oath, and the laudable constitutions of the lawfull Assemblies of this Kirk; and studying rather to renew, and revive old acts made for the reformation of Religion, in the time of your Majesties Father, of happie memorie, and extant in the records of the Kirk, which divine providence hath preserved, and at this time brought to our hands; then either to allow of such novations, as the avarice and ambition of men, abusing authoritie for their own ends, had without order introduced; or to appoint any new order, which had not been formerly received, and sworn to bee retained, in this Kirk. In all which the members of the Assembly, found so clear and convincing light, to their full satisfaction, against all their doubts and difficulties, that the harmonie and unanimitie was rare and wonderfull, and that we could not have agreed upon other constitutions, except wee would have been found fighting against GOD. Your Majesties wise and princely minde knoweth, that nothing is more ordinary then for men, when they doe well, to bee evil spoken of, and that the best actions of men are many times misconstrued, and mis-reported. *Balaam*, although a false prophet, was wronged: for in place of that which hee said, *The Lord refuseth to give me leave to go with you*: the princes of *Moab* reported unto *Balack*, that *Balaam* refused to go with them. But our comfort is, That Truth is the daughter of time, and although calumnie often start-

eth first, and runneth before, yet Veritie followeth her at the heels, and possesseth her self in noble and royall hearts: where base calumnie cannot long finde place. And our confidence is, that your Majestie with that worthie King, will keep one eare shut against all the obloquies of men; and with that more wise King, who when he gave a proofe that the wisedome of God was in him to doe judgement, would have both parties to stand before him at once: that hearing them equally, they might speed best, and go out most chearfully from his Majesties face, who had the best cause. When your Majesties wisedome hath searched all the secrets of this Assembly, let us be reputed the worst of all men, according to the aspersions which partialitie would put upon us, let us be the most miserable of all men, to the full satisfaction of the vindictive malice of our adversaries, let us by the whole world bee judged of all men the most unworthie to breath any more in this your Majesties Kingdome, if the cause that we maintaine, and have been prosecuting, shall be found any other, but that we desire that the Majestie of God, who is our fear and our dread, be served, and his house ruled, according to his owne will; if we have not caried along with us in all the Sessions of our Assemblie, a most humble and loyall respect to your Majesties honour, which next unto the honour of the living God, lyeth neareſt our hearts; if we have not keeped our selves within the limits of our reformation, without deborder or reflecting upon the constitution of other reformed Kirks, unto which wee heartily wish all truth and peace, and by whose sound judgement and Christian affection we certainly look to be approven; if we have not failed rather by lenitie then by rigour in censuring of delinquents, never exceeding the rules and lines prescribed, and observed by this Kirk, and if (whatsoever men minding themselves, suggest to the contrary) the government and discipline of this Kirk, subscribed and sworn before, and now acknowledged by the unanimous consent of this Assembly, shall not bee found to serve for the advancement of the Kingdome of Christ, for procuring all duetifull obedience to your Majestie, in this your Kingdome, and great riches and glorie to your Crown, for peace to us, your Majesties loyall subjects, and for terrour to all the enemies of your Majesties honour and our happinesse: and if any act hath proceeded from us, so farre as our understanding could reach, and humane infirmitie would suffer, which being duely examined according to the grounds laid by your Majesties Father, of everlasting memory, and our religious Progenitours, and which Religion did forbid us to infringe, shall merit the anger and indignation, wherewith wee are so often threatned: But on the contrare, having sincerely sought the glorie of God, the good of Religion, your Majesties honour, the censure of impietie, and of men who had sold themselves to wickednesse, and the reestablishment of the right constitution and government of this Kirk, farre from the smallest appearance of wronging any other reformed

med Kirk, we humbly beg, and certainly expect, that from the bright beames of your Majeſties countenance, ſhining on this your Majeſties own Kingdome and people, all our ſtormes ſhall bee changed in a comfortable calme, and ſweet Sun-ſhine, and that your Majeſties ratification in the enſuing Parliament, graciouſly indicted by your Majeſties Proclamation to bee keeped in *May*, ſhall ſetle us in ſuch a firmneſſe, and ſtabilitie in our Religion, as ſhall adde a further luſtre unto your Majeſties glorious Diademe, and make us a bleſſed people under your Majeſties long and proſperous reigne: which we beſeech him who hath directed us in our affaires, and by whom Kings reigne, to grant unto your Majeſtie, to the admiration of all the world, the aſtoniſhment of your enemies, and comfort of the godly.

FINIS.

Collected, viſied, and extracted forth of the Regiſter of the acts of the Aſſembly by me Mr. A. Ihonſton *Clerk thereto, under my ſigne and ſubſcription manuall.*

Edinburgh, the
12. of Ian.
1639.

An Index of the principall unprinted acts of the Assembly at *Glasgow*, 1638.

Act containing sundrie Protestations between the Commissioners Grace and the members of the Assembly.

Act of election of Mr. Alexander Henderson *to be Moderatour.*

Act of Mr. Archibald Ihonston *his admission to be Clerk and his production of the Registers of the Kirk, which were preserved by* Gods *wonderfull providence.*

An act disalowing anie private conference, and constant Assessours to the Moderatour.

The act registrating his Majesties will given in by his Commissioner.

The act bearing the Assemblies Protestation against the dissolution thereof.

Act anent the Presbyterie of Auchterardors *present seat at* Aberuthven *for a time.*

Act anent the order of receiving the repentance of any penitent Prelate.

Act anent the admission of Mr. Archibald Ihonston *to be Advocate and* Mr. Robert Dalgleishe *to be Agent for the Kirk.*

Act anent the transporting of Mr. Alexander Henderson *from* Leuchars *to* Edinburgh.

Act containing a commission to sit at Edinburgh *December* 26.

An other commission to sit at Iedburgh *Ian.* 22.

An other commission to sit at Irwin *Ian.* 15.

An other commission to sit at Dundie *Feb.* 5.

An other commission to sit at Chanrie *and* Forres *Mar.* 19.

An other commission to sit at Kirkubright *Feb.* 6.

An commission for visitation of the Colledge of Aberdeine.

An commission for visitation of the Colledge of Glasgow.

Act appointing the Commissioners to attend the Parlament and the articles which they are to represent in name of the Kirk to the Estates.

Act ordaining the Presbyteries to intimate in their severall pulpits the Assemblies explanation of the confession of Faith.

The act against Episcopacie. *The act against the* Five Articles. *The act against the* Service Book. *The* Book *of* Cannons. *The* Book *of* Ordination. *The* High Commission.

Acts of excommunication and deposition against some Prelats, *and of deposition only against some of them.*

Act ordaining all Presbyteries to keep a solemne thanksgiving in all Parioshs, for Gods *blessing and good successe to this Assembly upon the first convenient Sabbath.*

Act warranding the Moderator *and* Clerk *to give out summonds upon relevant complaints, against parties to compeare before the next Assembly.*

Act that none be chosen as Ruleing Elders *to sit in Presbyteries Provincis all or generall Assemblies but those who subscrives the Covenant as it is now declared, and acknowledges the constitutions of this Assembly.*

Act for representing to the Parliament the necessity of the standing of the Procutors *place for the Kirk.*